

CITY OF WINTER SPRINGS, FLORIDA
MINUTES
CODE ENFORCEMENT BOARD
REGULAR MEETING
SEPTEMBER 24, 2019

CALL TO ORDER

The Regular Meeting of Tuesday, September 24, 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 Maurice Kaprow, present
Board Member Michael Burns, present
Board Member Carole Giltz, present
Board Member Dennis Robinson, present
Senior City Attorney Jennifer Nix, present
Assistant to the City Clerk Christian Gowan, present
Assistant to the City Clerk Tristin Motter, present

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

Chairperson Criswell asked, "Are there any changes to the Agenda?" Captain Matt Tracht, Support Services Bureau, Police Department stated, "We do have a last minute change. I'm requesting to remove Item '500' - I was notified that my star witness, the City Arborist, had a family emergency and is not going to be able to make it. So, I would like to remove that and I will post it for a future meeting." With no objections, Chairperson Criswell stated, "'500' is pulled."

Assistant to the City Clerk Christian Gowan swore in those who would be providing Testimony during tonight's Meeting, Captain Matt Tracht and Respondent Mr. Torryn Alston.

AWARDS AND PRESENTATIONS

100. Not Used

CONSENT AGENDA

200. Minutes From The August 27, 2019 Code Enforcement Board Regular Meeting

REGARDING THE AUGUST 27, 2019 CODE ENFORCEMENT BOARD REGULAR MEETING MINUTES, "I WILL MAKE A MOTION TO APPROVE." MOTION BY BOARD MEMBER ROBINSON. SECONDED BY BOARD MEMBER GILTZ. DISCUSSION.

VOTE:

**VICE-CHAIPERSON KAPROW: AYE
BOARD MEMBER BURNS: AYE
BOARD MEMBER ROBINSON: AYE
BOARD MEMBER GILTZ: 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

500. Code Enforcement Division – Police Department

CASE # 2019CE002312

Michael Kahl

120 East Panama Road

Winter Springs, Florida 32708

City Code 5-4: Permit Required for Tree Removal and Land Clearing

Inspector: Captain Matt Tracht

As noted earlier in the Meeting, this Agenda Item was pulled from the Agenda.

501. Code Enforcement Division – Police Department
CASE # 2019CE001383
Kimberly Alston
650 Murphy Road
Winter Springs, Florida 32708
IPMC 304.7: Roofs and Drainage
Inspector: Captain Matt Tracht

Note: Mr. Torryn Alston was present on behalf of the Respondent.

Captain Tracht introduced the Case and testified, “Back on May 31st on patrol, this was another one of those blue tarp violations. There was a blue tarp affixed to this roof. IPMC [International Property Management Code] states that the roof shall be sound, tight, not have any defects that admit rain. Notices of Code Violation, two (2) of them, were mailed out, one (1) to the Winter Springs address and one (1) to a Sanford address according to the Property Appraiser’s site with a correction date by August 24, 2019 which was eighty-five (85) days. Both of those letters were returned to sender, back to me, unclaimed back on July 10th and 11th 2019.”

Photographs were shown from “Related Case Information.”

Continuing, Captain Tracht testified, “Notice of Code Board was sent certified, return receipt, posted at the property and here at City Hall, both the Sanford address and the Winter Springs address. And then additionally, a recent address for the owner was changed on the Property Appraiser’s site and that was an Altamonte Springs address and was mailed there as well.”

Next, related photographs were shown.

Captain Tracht stated, “My recommendation as of this date, obviously the tarp is still in disarray, no work has been done. I recommend the homeowner be found in Violation of IPMC 304.7 and given until November 23rd to come into Compliance; if not then, a Fee of two hundred and fifty dollars (\$250.00) per day be applied.”

Mr. Torryn Alston, 807 Campello Road, Altamonte Springs, Florida: testified that in May, his wife passed away and remarked, “I’m left with my kid, and my other daughter - to pay a mortgage, water bill, light bill. Also got power at this house to keep the inside from mildewing or whatever. I mow the yard - but they want fifteen thousand for the roof.

I mean, I'm doing what I can do to keep a roof over their head. I want to bring this house up to par so I can rent it out. So, me and my kids are trying to come up with a way. I can't get any help. It took me, to get through probate, almost five thousand dollars (\$5,000.00) and that put me behind on my mortgage. Like I said, it's tough. I'm the only income, he is in high school, sixteen (16) years old, it's tough."

Chairperson Criswell asked, "How long do you think it would take you to get this in to shape so that you could rent it out?"

Mr. Alston replied, "I'm trying to get a loan out of my 401(k) to take care of it but I'm not eligible yet to go into that. I also work for the City of Orlando - I don't know. I don't want to put myself in a bind. I don't want tell you one thing and then I fall short." Continuing, Mr. Alston added, "I don't know how long I would need. Hopefully to have it by some time next year. Hopefully I can take my Income Tax and - at least get a start on fixing the roof and trying to get it out to rent."

Discussion followed on the appearance of the tarp, roof, and the possibility of replacing the tarp.

Mr. Alston said, "The roof doesn't leak. It blew some tiles off." Continuing Mr. Alston said the damage was sustained during Hurricane Irma and further explained, "When my mother-in-law bought the house, the roof was already in bad damage and when she passed away, my wife inherited the house."

Comments followed on roofing contractors, insurance; and why the Respondent didn't have a roofer come out and patch the roof.

Mr. Alton responded, "The thing is, the finance problem. Like I said, I'm the only one working." Continuing, Mr. Alston added, "Maybe even thinking about taking a loan out on the house to bring it up to par and then rent it out and let it pay for itself. There's a lot I'm thinking about - her last wish was don't sell the house. I mean, tons of people call me and email me - about buying the house." Mr. Alston then noted, "It was one of her wishes, 'Don't sell the house, leave it to my kids' - so, I'm trying to honor that."

Captain Tracht conveyed his concerns to Mr. Alston and asked, "If the roof does not leak and if you can remove the blue tarp, or the evidence of the blue tarp, and make any repairs that may be necessary as a result of removing that, do you think 180 days would give you enough time, with taxes and all?"

Mr. Alston responded, “I could have my son-in-law get up there and try to remove the tarp and perhaps - I may need a little longer.”

Captain Tracht then said, “I would support an additional 180 days if that’s the case, if he can remove the tarp and bring the house back to its original condition, roof-wise; I would support that; but, that is up to you.”

Brief discussion followed on the suggested timeframe, to which Captain Tracht said, “180 days from today,” the current meeting date of September 24, 2019.

Vice-Chairperson Maurice Kaprow suggested, “Make it April 1st to make it six (6) months from now.” Brief comments followed on insurance.

“I MOVE TO FIND THE RESPONDENT IS IN VIOLATION OF THE CITY CODE AND ORDER THAT THE RESPONDENT BE GIVEN UNTIL APRIL 1, 2020 TO CORRECT THE VIOLATION. IN THE EVENT RESPONDENTS FAIL TO COMPLY BY THIS DATE, A FINE IN THE AMOUNT OF TWO HUNDRED AND FIFTY DOLLARS (\$250.00) SHALL BE IMPOSED FOR EACH DAY THE VIOLATION CONTINUES THEREAFTER.” MOTION BY VICE-CHAIRPERSON KAPROW. SECONDED BY BOARD MEMBER BURNS. DISCUSSION.

VOTE:

BOARD MEMBER GILTZ: AYE

BOARD MEMBER ROBINSON: AYE

CHAIRPERSON CRISWELL: AYE

BOARD MEMBER BURNS: AYE

VICE-CHAIRPERSON KAPROW: AYE

MOTION CARRIED.

Further remarks followed to ensure that Mr. Alston understood that the Violation must be addressed by April 1, 2020.

Chairperson Criswell summarized, “From now until April 1st, you need to try to get the affairs together to get over there, take the blue tarp off, patch it where you can, and get the new roof put on. I think that is ample time. If you would do me a favor and get back with Captain Tracht in thirty (30) days and let him know where you are at, I would appreciate that and we will see if we can also try to get you some help.”

Senior City Attorney Jennifer Nix confirmed that the Respondent would get a copy of the Board Order and asked him to confirm the address that should be used.

Mr. Alston replied, “807 Campello Street, Altamonte Springs, Florida 32701.”

PUBLIC HEARINGS AGENDA – NON-COMPLIANCE CASES

600. Not Used

REGULAR AGENDA

700. Not Used

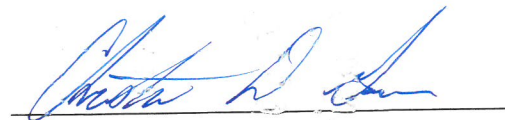
Captain Tracht re-introduced Ms. Terri Guerra, Police Department to the Code Enforcement Board and stated that he was happy to have more Staff to help with Code Enforcement matters.

Vice-Chairperson Kaprow referenced past years when the Code Enforcement Board did not meet in November and/or December due to holidays and asked whether the Board wanted to address this now. Chairperson Criswell said he was in agreement that if there were no Cases for November and December, that the Code Enforcement Board did not need to meet. No objections were voiced from other Board Members.

ADJOURNMENT

Chairperson Criswell adjourned the Regular Meeting at 5:49 p.m.

RESPECTFULLY SUBMITTED:



CHRISTIAN GOWAN
ASSISTANT TO THE CITY CLERK

NOTE: These Minutes were approved at the October 22, 2019 Code Enforcement Board Regular Meeting.