



Code Compliance Board Minutes

January 9, 2020 at 3:00 pm

City Hall, Commission Chambers
Regular Meeting

Meeting Called to Order

Daniel McIntosh, Chairperson, called to order the regular meeting of the City of Winter Park Code Compliance Board at 3:00 pm, on January 9, 2020, in the Commission Chambers, Winter Park, Florida.

Roll Call

Those present were: Daniel McIntosh, Chairperson, Clay Roesch, Todd Boyer and Paul Mandelkern. Daniel Butts, Kyle Sanders and Terry Rooth were absent.

Daniel McIntosh read the statement of purpose into the minutes.

Approval of Minutes

Motion made by Clay Roesch; seconded by Paul Mandelkern to approve the December 5, 2019 minutes. The motion passed 4-0.

Swearing in of Witnesses

All witnesses were sworn in.

Compliances

CC#19-1259 (1331 Aloma Avenue, Winter Park, FL 32789)

New Business

CC#19-356 and 199-1236, 402 Kilshore Lane, Winter Park, FL 32789. Presentation of the alleged violation was given. Smitha Raphael, Winter Park Safety and Code Compliance Officer, and Richard Geller, City Attorney spoke in regards to this case.

The following offered public comment:

Michael Harrell, 475 Lakeview Avenue, Winter Park, provided testimony.

Board closed portion of hearing for discussion.

Daniel McIntosh made a motion that based on the evidence presented today, the Board issue an order finding the Respondent Carl H. Simpson (owner) of 402 Kilshore Lane, Winter Park, Florida 32789, Code Compliance Board Case # 19-356 & 19-1236 in violation of Chapter 22, Sections 22-176 (adopting the International Property Maintenance Code, 2018 edition with reference to the applicable Florida Building Code(s), 22-177(17)(b) (amending the City's adoption of the International Property Maintenance Code and Ch. 22, Sections 302.4, 302.4.1 (amending the City's adoption of the International Property Maintenance Code) City of Winter Park ordinance. The Respondent is ordered to Secure, clean and sanitize the pool to a clean and sanitary condition in good repair so as not to pose a health hazard within fourteen (14) days of the date hereof AND install a self-closing, self-latching gate or fence at least 48 inches in height to fully

enclose the pool as a safety barrier within seven (7) days hereof OR remove the pool and refill the excavation with properly compacted soil to the natural grade in a manner that does not create any drainage issues for adjacent properties within fourteen (14) days within this hearing date. Furthermore, the respondent is ordered to Remove all overgrowth of weeds and grass over 12 inches in height on the property grounds within seven (7) days of this hearing date. Failure to comply will result in imposing an Order for the City to hire a private contractor to take pool removal actions and remove all overgrowth of weeds and grass over 12 inches in height on the property grounds. All fines will be assessed and recorded as a lien against the property. Failure to comply with this Order will result in fines of up to \$250.00 per day, per violation for each day a violation continues. Seconded by Todd Boyer.

Paul Mandelkern amended the motion, (second sentence) regarding imposing the fine of the time period for the pool to be changed from “within” to “of” this hearing date. Daniel McIntosh accepted the amendment. Seconded by Todd Boyer.

He also amended (fifth sentence) that all fines and costs incurred will be imposed against the property. Daniel McIntosh accepted the amendment. Seconded by Todd Boyer.

To clarify the record, Dan McIntosh read in the record the second and fifth sentences of the amended motion: **The Respondent is ordered to Secure, clean and sanitize the pool to a clean and sanitary condition in good repair so as not to pose a health hazard within fourteen (14) days of the date hereof AND install a self-closing, self-latching gate or fence at least 48 inches in height to fully enclose the pool as a safety barrier within seven (7) days of the date hereof OR remove the pool and refill the excavation with properly compacted soil to the natural grade in a manner that does not create any drainage issues for adjacent properties within fourteen (14) days of the date hereof.**

All fines and costs associated with bringing the property in compliance by virtue of any City activities or actions will be assessed and recorded as a lien against the property.

The motion passed 4-0.

Old Business

None.

Other Business

None.

Adjournment of Meeting: There being no further business, the Code Compliance Board meeting was adjourned at 3:34 pm

Respectfully submitted,

Nancy McLean, Recording Secretary

Dan McIntosh, Chairman