



Code Compliance Board Minutes

February 3, 2022 at 3:00 pm

City Hall, Commission Chambers
401 S. Park Avenue, Winter Park, Florida

Meeting Called to Order

Paul Mandelkern called the meeting of the City of Winter Park Code Compliance Board to order at 3:03pm on February 3, 2022, in the Commission Chambers, Winter Park, Florida.

Roll Call

Code Compliance Board Members: Paul Mandelkern, Todd Boyer, Douglas Bond, and Wayne Johnson were present. John Schmalz, Sherwin Sargeant, and Mark Van Valkenburgh were absent.

Assistant City Attorney: Richard Geller from Fishback Dominick Law Firm

Staff: Director of Risk Management, Safety & Code Compliance, & Fleet Keri Martin, Safety & Code Compliance Manager Susanne Porras, and Recording Secretary Neena Ramjit.

Paul Mandelkern read the statement of purpose into the minutes.

Approval of Minutes

Motion made by Todd Boyer; seconded by Douglas Bond to approve the January 6, 2022 minutes. The motion passed unanimously.

Swearing In of Witnesses

All witnesses were sworn in.

Compliances

CCB# 21-1430 2212 Azalea Place, Winter Park, FL 32789

CCB# 21-1247 1805 Alice Avenue, Winter Park, FL 32792

New Business

CC#21-817, 1241 S. Denning Drive, Winter Park, FL 32789

Violation: Residential dwelling is currently being rented or utilized on AirBnb for less than one month which is a violation of the city code.

Codes Cited: Chapter 58, Section 58-71 (aa) Short-term rental of residential dwellings as adopted and amended by the City of Winter Park Land Development Code

Presentation of the alleged violation was given. Susanne Porras, Safety & Code Compliance Manager and Neena Ramjit, Safety & Code Compliance Coordinator, spoke in regards to this case.

Susanne Porras presented the property's details and description according to records obtained from Orange County Property Appraiser office on January 18, 2022.

Neena Ramjit, Safety & Code Compliance Coordinator, presented the history of the case and gave a brief timeline:

- First educational Letter issued on June 25, 2021
- Notice of Violation issued on July 12, 2021
- Notice of Hearing issued on November 11, 2021

- Amended Notice of Hearing issued on December 20, 2021

Screenshots from the property's Airbnb listing were shown from the following dates: June 25, 2021, July 12, 2021, September 20, 2021, October 21, 2021, November 11, 2021, December 22, 2021, January 6, 2022, January 14, 2022, and January 21, 2022. Additionally, Neena Ramjit submitted to the Board the current printed Airbnb listing for February 3, 2022 as evidence to review.

The following spoke on behalf of the Respondents:

Attorney Robert Kingsford, Alfano Kingsford, P.A., represented his sons David and Jacob Kingsford, the Respondents. He provided character references for both of the Respondents and submitted other Airbnb listings within the City as evidence for the Board to review. Mr. Kingsford shared their intent to comply with the City's code and requested the Board to consider an extension for two reasons:

- Jacob frequently travels between New York and Florida for his job and they are requesting a 120 day delay in enforcement to allow Jacob to purchase a permanent home in Florida.
- The property is currently booked up until March 22, 2022.

Upon questioning from the Board Members, Robert Kingsford addressed the host name used in the Airbnb listing (Citrus Hospitality) and disclosed the monthly mortgage amount.

There were no individuals for public comment.

Chairman Mandelkern closed the public comment portion of the hearing for board discussion.

Wayne Johnson, made a motion that from the evidence presented today, this Board is issuing a ruling finding the Respondents, David Kingsford and Jacob Kingsford, Compliance Board Case #21-817, owners of 901 Harmon Ave. & 1241 S. Denning Drive, Winter Park, FL 32789 in violation of Chapter 58, Section 58-71 (aa) - Short-term rental of residential dwellings. The rental, use or occupancy of any residential dwellings for less than one month shall be prohibited per City of Winter Park Land Development Code.

The respondents are ordered to cease all rental operations for less than a month within 60 days of this hearing date. Failure to comply with this order will result in fines of up to \$250.00 per day for each day the violation continues. The Respondents are further ordered to contact the City Safety & Code Compliance Officer and provide documentation of action taken by April 3, 2022. Todd Boyer, Vice Chairman, seconded the motion.

Wayne Johnson clarified that the date of April 3, 2022 was chosen due to the existing bookings in March stated by Mr. Kingsford.

There was no further discussion on the motion. The motion passed 4-0.

Old Business

None

Other Business / Progress

None

Adjournment

There being no further business, Paul Mandelkern made a motion to adjourn the meeting at 3:39 p.m. Todd Boyer seconded the motion and it passed unanimously.

Next meeting is March 3 at 3:00pm.

Approved by the Board 05/05/2022.

/s/ Neena Ramjit, Recording Secretary.