

**Code Enforcement Board
Meeting Minutes
May 18, 2017**

A regular meeting of the Code Enforcement Board of the City of Cocoa was held on Thursday, May 18, 2017 in the Council Chambers at 65 Stone Street, Cocoa, as publicly noticed.

OPENING MATTERS:

Chairman Jim Gifford called the meeting to order at 6:00 P.M. The Board Secretary called the roll.

MEMBERS PRESENT:

Jim Gifford	Chairman
George Brown, Jr.	Vice-Chairman
Virginia Weaver	Board Member
Michael Cicerrella	Board Member
Michael Klug	Board Member
Bill Terrell	Board Member
Stephanie Moretto	Alternate Board Member

MEMBERS ABSENT:

David Lightholder	Board Member
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OTHERS PRESENT:

Dennis Bunt	Code Enforcement Manager
Eric Austin	Police Department - Major
Steven Murdick	Code Enforcement Officer
Debra Babb-Nutcher	Board Attorney
Rachel Unruh	Recording Secretary

The Board Secretary swore in all Staff members giving testimony.

APPROVAL OF AGENDA AND MINUTES:

1. Approval of Meeting Agenda: May 18, 2017

Chairman Jim Gifford noted changes to the agenda (Items complied, tabled, and withdrawn).

Motion by Mr. Cicerrella, seconded by Mr. Klug, to approve the agenda of May 18, 2017 as amended. Vote on the motion carried unanimously.

2. Approval of Meeting Minutes: April 20, 2017

Motion by Mr. Cicerrella, seconded by Ms. Weaver, to approve the minutes of April 20, 2017, as amended. Vote on the motion carried unanimously.

NEW BUSINESS:

None

CASES:

1. CE-16-348 – 709 Florida Ave. (Officer Murdick)

Code Enforcement Officer Steve Murdick provided an overview of the Case history and presented exhibits for the Board's review. Officer Murdick testified that the Property Owner is in violation of Section 6-1003 (b) Protective treatment of the City of Cocoa Code.

Officer Murdick requested that the Board find the Property Owner in violation and be given until June 18, 2017 (30 days) to come into compliance or impose a fine in the amount of twenty-five dollars (\$25.00) per day until found in compliance. The Owner was not present. Discussion amongst the Board members and Staff. Motion by Mr. Cicerrella, seconded by Ms. Weaver, to approve Staff's recommendation and find the Property Owner in violation. Vote on the motion carried unanimously.

2. CE-16-461 – 1235 Holmes St. (Officer Murdick)

Code Enforcement Officer Steve Murdick provided an overview of the Case history and presented exhibits for the Board's review. Officer Murdick testified that the Property Owner is in violation of Section 6-1001(g) Fence damage, Section 6-1003(b) Protective treatment, Section 6-900 (b)(9) Parking in yard and Section 6-1001(d) High grass & weeds of the City of Cocoa Code.

Officer Murdick requested that the Board find the Property Owner in violation and be given until June 18, 2017 (30 days) to come into compliance or impose a fine in the amount of one hundred dollars (\$100.00) per day until found in compliance. The Owner was not present. Discussion amongst the Board members and Staff. Motion by Mr. Brown, seconded by Mr. Cicerrella, to approve Staff's recommendation and find the Property Owner in violation. Vote on the motion carried unanimously.

3. CE-16-822 – 436 Stone St. (Officer Murdick)

Code Enforcement Officer Steve Murdick provided an overview of the Case history and presented exhibits for the Board's review. Officer Murdick testified that the Property Owner is in violation of Sec. 6-1003(b) Protective treatment of the City of Cocoa Code.

Officer Murdick requested that the Board find the Property Owner in violation and be given until June 18, 2017 (30 days) to come into compliance or impose a fine in the amount of twenty-five dollars (\$25.00) per day until found in compliance.

Eunice Shannon, 118 Polaris St, was sworn in. Ms. Shannon explained that they are looking to demolish the structure.

Discussion amongst the Board members, Staff and Ms. Shannon.

Motion by Mr. Cicerrella, seconded by Ms. Weaver, to give the owner 30 days to submit an application for demolition or the owner of the Property Owner will be in violation and a fine of \$25.00 per day will accrue until compliance is achieved. Vote on the motion carried unanimously.

4. CE-17-088 – 531 Blake Ave. (Officer Murdick)

Code Enforcement Officer Steve Murdick provided an overview of the Case history and presented exhibits for the Board's review. Officer Murdick testified that the Property Owner is in violation of Section 6-900 (b)(7) Failure to secure structure, Section 6-1003 (f) Exterior walls, wall damage,

Section 6-1003 (m)(1) Broken windows, Section 6-900 (b)(4) a-c Maintenance of structure/grounds and Section 6-1003 (b) Protective treatment of the City of Cocoa Code.

Officer Murdick requested that the Board find the Property Owner in violation and be given until June 18, 2017 (30 days) to come into compliance or impose a fine in the amount of one hundred twenty-five dollars (\$125.00) per day until found in compliance. The Owner was not present. Discussion amongst the Board members and Staff. Motion by Ms. Weaver, seconded by Mr. Cicerrella, to approve Staff's recommendation and find the Property Owner in violation. Vote on the motion carried unanimously.

5. CE-17-120 – Tax # 2425112 (Officer Murdick)

Code Enforcement Officer Steve Murdick provided an overview of the Case history and presented exhibits for the Board's review. Officer Murdick testified that the Property Owner is in violation of App. A, Art. XII, Prohibited accessory structures of the City of Cocoa Code.

Officer Murdick requested that the Board find the Property Owner in violation and be given until June 18, 2017 (30 days) to come into compliance or impose a fine in the amount of twenty-five dollars (\$25.00) per day until found in compliance.

Rolando Balleras, PO Box 11206, Orlando, was sworn in. Mr. Balleras stated to the Board that he was unaware that the lot he had been maintaining was the wrong lot and that the vacant lot with the shed was in deed his lot. He further explained that the property that belongs to him is fenced in and was thought to belong to address 401 Catherine Ct. Mr. Balleras explained that the owners of 401 Catherine Ct are going to move the sheds but had not done so yet.

Johnny and Barbara Bailey, 401 Catherine Ct, was sworn in. Mr. and Mrs. Bailey gave testimony that they were unaware that the property had been divided and the lots had been sold. They explained that the property has once property by another family member and they fence was never moved therefore no one know the lots had changed hands.

Discussion amongst the Board members, Staff, Mr. Balleras and Mr. & Mrs. Bailey.

Motion by Mr. Cicerrella, seconded by Ms. Weaver, to approve Staff's recommendation with the exception of giving 60 days to move the sheds instead of 30 days and find the Property Owner in violation. Vote on the motion carried unanimously.

6. CE-17-185 – 209 Riverside Dr. (Officer Murdick)

Code Enforcement Officer Steve Murdick provided an overview of the Case history and presented exhibits for the Board's review. Officer Murdick testified that the Property Owner is in violation of Section 6-1003(f) Exterior walls, Section 6-1003(b) Protective treatment and App. A, Art. XV, Sec. 2(A) Permit required of the City of Cocoa Code.

Officer Murdick requested that the Board find the Property Owner in violation and be given until June 18, 2017 (30 days) to come into compliance or impose a fine in the amount of seventy-five dollars (\$75.00) per day until found in compliance.

Fran DiPasquail, 1484 N Atlantic Ave Ste. 105, Cocoa Beach, was sworn in. Ms. DiPasquail gave testimony that the owner of the property made the repairs due to Hotel/Motel agency cited them for the condition of the stairs. She explained that they have an architect of board and that the drawings should be ready by May 19, 2017.

Discussion amongst the Board members, Staff and Ms. DiPasquail.

Motion by Mr. Cicerrella, seconded by Ms. Weaver, to approve Staff's recommendation and find the Property Owner in violation. Vote on the motion carried unanimously.

7. CE-17-188 – 1056 Mitchell St. (Officer Murdick)

This Case was tabled.

8. CE-17-208 – 714 Ixora Ave. (Officer Murdick)

Code Enforcement Officer Steve Murdick provided an overview of the Case history and presented exhibits for the Board's review. Officer Murdick testified that the Property Owner is in violation of Section 6-1003(b) Protective treatment, Section 6-1001(g) Accessory structure, shed and Section 6-900(b)(5) Boarded up building of the City of Cocoa Code.

Officer Murdick requested that the Board find the Property Owner in violation and be given until June 18, 2017 (30 days) to come into compliance or impose a fine in the amount of one hundred fifty dollars (\$150.00) per day until found in compliance.

Merline Crapps and April Crapps, 714 Ixora Ave, was sworn in. Ms. Crapps gave testimony that the home belonged to her mother and she passed away and the home had been in probate. She stated she now lives in the home and is disabled and is on a fixed income and needs more time.

Discussion amongst the Board members, Staff and Ms. Crapps.

Motion by Mr. Cicerrella, seconded by Ms. Weaver, to table the case. Vote on the motion carried unanimously.

9. CE-17-211 – 360 Lucas Ln. (Officer Murdick)

Code Enforcement Officer Steve Murdick provided an overview of the Case history and presented exhibits for the Board's review. Officer Murdick testified that the Property Owner is in violation of Section 6-1003(b) Protective treatment, Section 6-900(b)(11) Storing outdoor and Section 6-1001(d) High grass, weeds, & overgrowth of the City of Cocoa Code.

Officer Murdick requested that the Board find the Property Owner in violation and be given until June 18, 2017 (30 days) to come into compliance or impose a fine in the amount of seventy-five dollars (\$75.00) per day until found in compliance. The Owner was not present. Discussion amongst the Board members and Staff. Motion by Mr. Terrell, seconded by Mr. Cicerrella, to approve Staff's recommendation and find the Property Owner in violation. Vote on the motion carried unanimously.

10. CE 17-219 – Tax # 2425496 (Officer Murdick)

This Case was found in compliance.

NON-COMPLIANCE:

1. CE 16-796 – 17 Travis

Code Enforcement Officer Steve Murdick provided an overview of the Case history and presented exhibits for the Board's review. Officer Murdick testified that the Property Owner is in violation of Section. 6-1003 (g) Roofs and drainage, Roof damage, Section. 6-1003 (b) Protective treatment, Peeling, flaking, stained paint and Section. 6-1001 (d) High grass, weeds, and overgrowth of the City of Cocoa Code. Officer Murdick stated that the Case was heard on February 16, 2017 and the

Property Owner was given until April 3, 2017 to correct the violation or impose a fine in the amount of seventy-five dollars (\$75.00) per day until found in compliance. Officer Murdick requested that the Board find the Property Owner in non-compliance impose a fine in the amount of seventy-five dollars (\$75.00) per day until found in compliance until found in compliance. Officer Murdick gave testimony that the case had been heard before on April 20, 2017 for Non-Compliance and was tabled until May 18, 2017 CEB meeting.

Aaron Reninger, 307 Delannoy Ave, was sworn in. Mr. Reninger testified that he and his step-brother have been working on the property and everything has been corrected. Mr. Reninger again explained he was confused on what date the property needed to be in compliance by explaining why he had not achieved compliance before April 3, 2017.

Discussion amongst Board members, staff and Mr. Reninger.

Motion by Mr. Brown, seconded by Mr. Cicerrella, to find the property in compliance and no fine is to be assessed.

LIEN REDUCTION/FORGIVENESS:

1. 903 Kensington Dr.

Dennis Bunt, Code Enforcement Manager, presented a staff report for the lien reduction request. Mr. Bunt stated on April 18, 2008 for CE-08-290 the Code Enforcement Board found the property owner, Benjamin Williams, in violation of Ch. 6 Sec. 6-900 (b)(4) a-c- Exterior Maintenance, Ch. 6 Sec 6-900(b)(7)- Windows, Ch. 6 Sec 6-1001(d) -High Grass & Weeds and NO -ENTRY Accumulation of Junk & Trash

The lien ran at one hundred dollars (\$100.00) per day from May 2, 2008 until compliance was achieved on April 18, 2017. The total amount of the lien is \$327,320.00 and the current owner, Charles V Hough Sr., is requesting that the lien be reduced to the amount of zero.

Based on the factors in the staff report, staff recommended the lien be reduced to \$750.00.

Mr. Bunt gave testimony that he has spoken with the current owner of the property and he agreed to the administrative cost that staff has recommended

Motion by Mr. Cicerrella, second by Mr. Klug, to accept Staff's recommendation and recommend to Council the lien reduction in the amount of seven hundred fifty dollars (\$750.00). Vote on the motion carried unanimously.

DEMOLITION APPEALS:

None

OTHER BUSINESS:

I. Business Tax Receipts

1. CE-17-344 – 812 Dixon Blvd.
2. CE-17-355 – 805 N Fiske Blvd. Unit 101
3. CE-17-356 – 1704 University Ln. Unit 704

4. CE-17-361 – 401 Catherine Ct.
5. CE-17-362 – 2995 Grissom Pkwy.
6. CE-17-365 – 2323 N Cocoa Blvd.
7. CE-17-366 – 505 W King St.
8. CE-17-368 – 808 Forrest Ave. Unit 3
9. CE-17-369 – 1811 N Cocoa Blvd.
10. CE-17-377 – 1281 W King St.
11. CE-17-378 – 630 Brevard Ave.

Manager Dennis Bunt recommended that the cases CE-17-344 and CE-17-368 be found in non-compliance for the violation of Section 6-2003 Business Tax Receipt.

Motion by Mr. Cicerrella, seconded by Mr. Klug, to find the above addresses in non-compliance. Vote on the motion carried unanimously.

II. Manager Announcements

Dennis Bunt, Code Enforcement Manager, introduced Major Eric Austin to the CEB members and also stated that Micheal Mack was in class for the week for F.A.C.E Level I training.

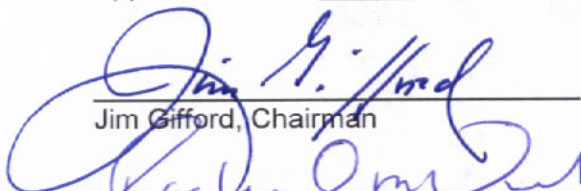
NEXT MEETING:

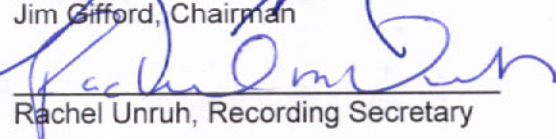
The Board members established that the next meeting would be held on June 15, 2017.

ADJOURNMENT:

There being no further business the meeting adjourned at 7:14 PM.

Approved on this 18th day of may, 2017.


Jim Gifford, Chairman


Rachel Unruh, Recording Secretary