

**Code Enforcement Board
Meeting Minutes
May 17, 2018**

A regular meeting of the Code Enforcement Board of the City of Cocoa was held on Thursday, May 17, 2018 in the Council Chambers at 65 Stone Street, Cocoa, as publicly noticed.

OPENING MATTERS:

Chairman Jim Gifford called the meeting to order at 6:04 P.M. The Board Secretary called the roll.

MEMBERS PRESENT:

Jim Gifford	Chairman
George Brown, Jr.	Vice-Chairman
Virginia Weaver	Board Member
Michael Klug	Board Member
David Lightholder	Board Member
Michael Cicerella	Board Member
Stephanie Moretto	Board Member

MEMBERS ABSENT:

None

OTHERS PRESENT:

Dennis Bunt	Code Enforcement Manager
Anthony Marchica	Lieutenant
Don Boisvert	Councilman
Steve Murdick	Code Enforcement Officer
Brian Fose	Code Enforcement Officer
Debra Babb-Nutcher	Board Attorney
Rachel Unruh	Recording Secretary

The Board Secretary swore in all Staff members giving testimony.

Dennis Bunt, Code Manager, introduced and welcomed new Code Officer Brian Fose.

APPROVAL OF AGENDA AND MINUTES:

1. Approval of Meeting Agenda: May 17, 2018

Motion by Ms. Weaver, seconded by Mr. Lightholder, to approve the agenda of May 17, 2018 as amended. Vote on the motion carried unanimously(7-0).

2. Approval of Meeting Minutes: April 19, 2018

Motion by Mr. Cicerella, seconded by Mr. Klug, to approve the minutes of April 19, 2018, as written. Vote on the motion carried unanimously(7-0).

NEW BUSINESS:

None

CASES:

1. CE-17-560 817 Washington Ave

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 Parking in Yard Ch 6 Sec. 6-900 (b)(9), Protective Treatment, Ch 6 Sec. 6-1003 (b), Storing Junk or Autos, Ch 6 Sec. 6-902 (b)(1)(2) and Storing Outdoors, Ch 6 Sec. 6-900 (b)(11), of the City of Cocoa Code.

Officer Murdick requested that the Board find the Property Owner in violation and be given until June 17, 2018 (30 days) to come into compliance or impose a fine for one hundred dollars (\$100.00) per day until found in compliance.

Maurice Leonard, 530 Loxley Ct, Titusville, was sworn in. Mr. Leonard stated his sister owns the property but he is speaking on her behalf. Mr. Leonard stated he registered the vehicles the day before. He also stated that he has plans in hand for remodeling the home. He continued with explaining that Hurricane Irma slowed him down from moving forward with the remodel. Mr. Leonard explained all the other violations have been taken care of.

Discussion amongst the Board members, staff and Mr. Leonard.

Mr. Leonard explained the property doesn't have a driveway so he isn't sure where to park.

Officer Murdick, explained the property has an apron and that is a designed area for parking.

Mr. Leonard stated he has plans for the Board to view, the plans show the amount of work that is going to be completed on the property.

Code Manager, Dennis Bunt stated for the record the staff doesn't object to giving the time needed for the repairs however the case has been open since July 2017 and has asked for the Board to consider that as they make a recommendation.

David Lightholder viewed the plans.

Mr. Leonard explained the plans to Mr. Lightholder.

Additional discussion amongst the Board members and Mr. Leonard.

Dennis Bunt stated that staff would amend the original recommendation from 30 days to 120 days with updates to Staff every 30 days.

Additional discussion amongst staff and Mr. Leonard.

Chairperson, Mr. Gifford explained the process for the recommendation that staff has offered.

Motion by Mr. Lightholder, seconded by Ms. Moretto, to approve Staff's recommendation with amending the time frame from 30 days to 120 days providing updates to Code Enforcement Division every 30 days and find the Property Owner in violation. Vote on the motion carried unanimously(7-0).

Additional discussion amongst staff and Mr. Leonard.

2. CE-17-594 2610 N Cocoa Blvd.

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 Roofs & Drainage, Ch 6 Sec. 6-1003 (g), Weeds, Ch 6 Sec. 6-1001(d), Protective Treatment, Ch 6 Sec. 6-1003 (b) and Defacement of property, graffiti, Ch 6 Sec. 6-1001(i), of the City of Cocoa Code.

Officer Murdick requested that the Board find the Property Owner in violation and be given until June 17, 2018 (30 days) to come into compliance or impose a fine for one hundred dollars (\$100.00) per day until found in compliance.

Discussion amongst the Board members and staff.

Larry Curvin, 225 Florida Blvd, Merritt Island, was sworn in. Mr. Curvin gave a brief history to his ownership of the property. Mr. Curvin explained all the work that has been completed on the property through his time of ownership and the amount of money that has been spent. He stated that he started this week getting the property presentable for the neighbors. Mr. Curvin explained he paid a contractor to fix the fascia and soffit but it didn't hold up.

Discussion amongst the Board members, staff and Mr. Curvin.

Dennis Bunt explained that Mr. Curvin needs to set up an appointment with Planning and Zoning to see what type of business could be conducive to Mr. Curvin's needs.

Additional discussion amongst the Board members and Mr. Curvin.

Motion by Mr. Lightholder to accept staff's recommendation. No second

Additional discussion amongst the Board members, staff and Mr. Curivn.

Mr. Lightholder's motion failed.

Motion by Mr. Cicerrella, seconded by Mr. Brown, to approve Staff's recommendation with amending the time frame from 30 days to 60 days and find the Property Owner in violation. Vote on the motion carried unanimously(7-0).

3. CE-17-638 340 King St.

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 Weeds, Ch 6 Sec. 6-1001(d), Storing Outdoors, Ch 6 Sec. 6-900 (b)(11), Accessory Structures Ch 6 Sec. 6-1001 (g) and Landscape requirements – App. A, Art. XIII, Sec. 22 (a-i), of the City of Cocoa Code.

Officer Murdick requested that the Board find the Property Owner in violation and be given until June 17, 2018 (30 days) to come into compliance or impose a fine for one hundred dollars (\$100.00) per day until found in compliance. Owner was not present. Discussion amongst the Board members and staff. Motion by Mr. Cicerrella, seconded by Ms. Moretto, to approve Staff's recommendation and find the Property Owner in violation. Vote on the motion carried unanimously (7-0).

4. CE-17-679 126 Rosa L Jones

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 Parking in Yard Ch 6 Sec. 6-900 (b)(9), Exterior General Condition Ch 6 Sec. 6-1003 (a), Accessory Structures Ch 6 Sec. 6-1001 (g) and Accessory Structures Ch 6 Sec. 6-1001 (g), of the City of Cocoa Code.

Officer Murdick requested that the Board find the Property Owner in violation and be given until June 17, 2018 (30 days) to come into compliance or impose a fine for one hundred dollars (\$100.00) per day until found in compliance. Owner was not present. Discussion amongst the Board members and staff. Motion by Mr. Lightholder, seconded by Mr. Cicerrella, to approve Staff's recommendation and find the Property Owner in violation. Vote on the motion carried unanimously (7-0).

5. CE-17-681 1649 N Cocoa Blvd.

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 Storing Outdoors, Ch 6 Sec. 6-900 (b)(11) and Ch. 17, Art.I, Sec. 17-1. – Use for display or sale of goods prohibited, of the City of Cocoa Code.

Officer Murdick requested that the Board find the Property Owner in violation and be given until June 17, 2018 (30 days) to come into compliance or impose a fine for fifty dollars (\$50.00) per day until found in compliance. Owner was not present. Discussion amongst the Board members and staff. Motion by Mr. Lightholder, seconded by Mr. Klug, to approve Staff's recommendation and find the Property Owner in violation. Vote on the motion carried unanimously (7-0).

6. CE-17-717 314 Fairmont Dr.

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 Roofs & Drainage, Ch 6 Sec. 6-1003 (g) and Weeds, Ch 6 Sec. 6-1001(d), of the City of Cocoa Code.

Officer Murdick requested that the Board find the Property Owner in violation and be given until June 17, 2018 (30 days) to come into compliance or impose a fine for fifty dollars (\$50.00) per day until found in compliance.

Mr. Vellanti provided documents to staff prior to Hearing started, the Board members were supplied a unrecorded deed and a re-roof application from Mr. Vellanit.

Paul Vellanti (prospective property owner), 2380 Harlock Rd, Melbourne, was sworn in. Mr. Vellanti stated he purchased the property on May 10th. Mr. Vellanti stated he needs 60 days to make all the corrections to the property.

Motion by Mr. Brown, seconded by Mr. Cicerrella, to approve Staff's recommendation amending the time frame from 30 days to 60 days and find the Property Owner in violation. Vote on the motion carried unanimously(7-0).

7. CE-17-752 1103 Hickory Ln.

Code Manager Dennis Bunt provided an overview of the Case history and presented exhibits for the Board's review. Mr. Bunt testified that the Property Owner is in violation of Storing Outdoors, Ch 6 Sec. 6-900 (b)(11) and Storing Junk or Autos, Ch 6 Sec. 6-902 (b)(1)(2), of the City of Cocoa Code.

Mr. Bunt requested that the Board find the Property Owner in violation and be given until June 1, 2018 (15 days) to come into compliance or impose a fine for fifty dollars (\$50.00) per day until found in compliance. Owner was not present. Discussion amongst the Board members and staff. Motion by Mr. Lightholder, seconded by Ms. Moretto, to amend Staff's recommendation to 30 days and a fine for one hundred fifty dollars

(\$150.00) per day and find the Property Owner in violation. Vote on the motion carried unanimously (7-0).

8. CE-17-840 1050 Mitchell St.

This case was complied

NON-COMPLIANCE:

1. CE-17-550 105 Stone St.

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 Protective Treatment, Ch 6 Sec. 6-1003 (b), Storing Outdoors, Ch 6 Sec. 6-900 (b)(11), Roofs & Drainage, Ch 6 Sec. 6-1003 (g), Permit Required App A Art. XV Sec 2 (a) and Weeds, Ch 6 Sec. 6-1001(d), of the City of Cocoa Code. Officer Murdick stated that the Case was heard on March 15, 2018 and the Property Owner was given until April 14, 2018 to correct the violation or impose a fine in the amount of one hundred twenty five dollars (\$125.00) per day until found in compliance. Officer Murdick requested that the Board find the Property Owner in non-compliance and impose a fine for one hundred twenty five dollars (\$125.00) until found in compliance.

John Holmquist, 105 Stone St, was sworn in.

Chairperson Mr. Gifford explained to Mr. Holmquist that his case is a Non-Compliance and he explained the options the Board members have for moving forward in the case.

Mr. Holmquist explained that he was confused on the date for the Hearing on March 15, 2018. Mr. Holmquist explained that he was confused to how he was supposed to correct the violations from the letters he received in the mail. He stated that has applied for the permits for repairing the roof and the Building Department stated he will need engineered plans for the repairs. Mr. Holmquist explained that he provided engineered plans but the Building Department stated they need site specific plans. He stated he is on hold waiting on the plans to be approved by Engineer and then approved Building Department.

Code Manager, Dennis Bunt stated the home was damaged in Hurricane Matthew and the property was cited before Hurricane Irma.

Discussion amongst Board members, staff and Mr. Holmquist.

Motion by Mr. Brown, seconded by Mr. Cicerrella, to find the find in non-compliance.

Discussion amongst the Board members, staff and Mr. Holmquist; motion failed.

Motion by Mr. Brown, seconded by Mr. Cicerrella, to table the case until June 21, 2018.
Vote on the motion carried unanimously(7-0).

LIEN REDUCTION:

1. CE-15-1091 1110 Mitchell St.

This case was tabled.

ABATEMENT APPEALS:

None

DEMOLITION APPEALS:

None

OTHER BUSINESS:

I. Manager Announcements

Dennis Bunt, Code Manager, gave an update for case CE-17-719 228 Orange St and CE-17-700 515 Paw Paw St.

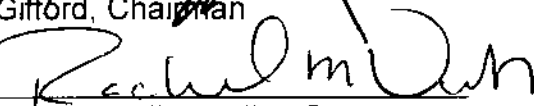
NEXT MEETING:

The Board members established that the next meeting would be held on June 21, 2018.

ADJOURNMENT:

There being no further business the meeting adjourned at 7:13 PM.

Approved on this 21st day of June, 2018.


Jim Gifford, Chairman

Rachel Unruh, Recording Secretary

