



**Agenda
City of Cocoa
Code Enforcement Board Regular Meeting**

**January 16, 2025
6:00 PM**

**Cocoa Police Department
Code Enforcement Division
1226 W King St., Cocoa, FL 32922**

I. Opening Matters:

1. Call to Order
2. Invocation
3. Pledge of Allegiance
4. Roll Call

II. Approval of Agenda and Minutes:

1. Agenda: Regular Meeting of January 16, 2025.
2. Minutes: Regular Meeting of November 21, 2024.

III. Cases:

IV. Non-Compliance:

V. Lien Reductions:

VI. New Business:

VII. Other Business:

VIII. Abatement Appeals:

IX. Manager Announcements:

X. Next Meeting Date:

XI. Adjournment:

NOTICE TO THE PUBLIC:

This meeting may include the attendance of one (1) or more members of the Cocoa City Council who may or may not participate in the Board discussions held at this public hearing.

All persons and parties are hereby advised that if they should decide to appeal any decision made by this Board with respect to any matter considered at this hearing, they will need a record of the proceedings and that for such purpose, affected persons may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The facility where this public hearing will be held is accessible to the physically handicapped. Interested parties are hereby advised that they may appear at said meeting and be heard with respect to the application. Written comment from the public with regard to the application will also be accepted.

Information pertaining to the above may be inspected at the Code Enforcement Department between 8:00 a.m. and 5:00 p.m., Monday through Friday, beginning the Friday before the Board Meeting or by calling (321)-433-8508.

CODE BOARD AGENDA ITEM

Memo Date: 12/09/2024
Agenda Date: 1/16/2025
Prepared By: Darla Crawl, Code Enforcement Coordinator
Through: Thomas Wilkinson, Code Enforcement Officer
Requested Action: Approve the Agenda of the Code Enforcement Board Regular Meeting on January 16, 2025, either as is or with amendments.

BACKGROUND:

PRIORITY AREA CONNECTION:

Public Safety/Community Standards

BUDGETARY IMPACT:

PREVIOUS ACTION:

RECOMMENDED MOTION:

Approve the Agenda of the Code Enforcement Board Regular Meeting on January 16, 2025, either as is or with amendments.



Cocoa Police Department
Code Enforcement Division
1226 W King Street
Cocoa, FL 32922

AGENDA
CODE ENFORCEMENT BOARD
REGULAR MEETING
65 STONE STREET
January 16, 2025
6:00 PM

OPENING MATTERS:

Call to Order
Pledge of Allegiance
Roll Call
Swearing in Officers

APPROVAL OF AGENDA AND MINUTES:

1. Approval of Meeting Agenda: January 16, 2025
2. Approval of Minutes for November 21, 2024
3. Submittal of Document Packet

CASES:

1. CE-24-279	1112 Ohio Street	Officer Mack
---------------------	-------------------------	---------------------

NOV Mailed: 3/17/24

NOH: 01/06/25 - Certified Mail

Complied On: N/A

Property Owner: YATES, MARK

Parcel # 24-36-32-***-12.01**

Violations Cited:

1. Accessory Structures Ch 6 Sec. 6-1001 (g) 2. Accumulation of Trash and Litter Ch 6 Sec. 6-900 (b)(1)

4. Storing Junk or Autos, Ch 6 Sec. 6-902 (b)(1)(2) 4..District and Intent – RU – 1-7, Single- Family Residence App. A Art. XI, Sec. 3.

In the matter Code Enforcement Board Case Number CE 24-279, staff recommends that the property owner found in violation and correct the violations by 02/21/2025 or a fine of \$25.00 per violation per day be imposed until property brought into compliance.

NON-COMPLIANCE CASES:

2. CE-24-152	1302 Japonica	Officer Mack
NOV Mailed: 2/01/24		NOH: 01/06/25 Certified Mail
Complied On: N/A		
Property Owner: BEECH ENTERPRISE LLC		
Parcel # 24-36-29-25-1-7		

Violations Cited:

- | | |
|--|---|
| 1. Accessory Structures Ch 6 Sec. 6-1001 (g) | 2. Exterior Structures Ch 6 Sec. 6-1003 (a) |
| 3. Exterior Structure (Walls) Ch 6 Sec. 6-1003 (f) | 4. Permit Required App Aart. XV Sec. 2 (a) |

In the matter Code Enforcement Board Case Number CE 24-152, staff recommends that the property mentioned above is found to be in non-compliance and fine amount of \$25.00 per violation per day be imposed until property brought into compliance.

3. CE-23-0172	518 S Kentucky Ave	Officer Mack
NOV Mailed: 2/13/2023		NOH: 01/06/25 Certified Mail
Complied On: N/A		
Property Owner: MARTIN, BEULAH GRAHAM		
Parcel # 24-36-32-75-23-8		

Violations Cited:

- | | |
|--|---|
| 1. Exterior Property Areas (Accessory Structures), Sec. 6-1001 (g) | 2. Exterior General Condition, Ch. 6 Sec. 6-1003 (b), (d), (g), (m) |
| 3. Interior Structure (Unsanitary and Disrepair), Sec. 6-1004 | 4. Permit Required, App. A Art. XV Sec. 2 (a) |
| 5. Unsafe Buildings, Ch. 6 Sec. 6-600 (6) (1) | |

In the matter Code Enforcement Board Case Number CE 23-0172, staff recommends that the property mentioned above is found to be in non-compliance and fine amount of \$25.00 per violation per day be imposed until property brought into compliance.

Lien Reductions:

1. CE-20-1252 / 1203 Alamanda Lane
2. CE-09-0102 / 1112 Myrtle Lane

New Business:

None

Other Business:

None

Abatement Appeals:

None

Manager Announcements:

None

NEXT MEETING:

The next regular meeting of the Code Enforcement Board will be held on **February 20, 2025**

ADJOURNMENT:

Notice to Public:

This meeting may include the attendance of one (1) or more members of the Cocoa City Council who may or may not participate in the Board discussions held at this public hearing.

All persons and parties are hereby advised that if they should decide to appeal any decision made by this Board with respect to any matter considered at this hearing, they will need a record of the proceedings and that for such purpose, affected persons may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The facility where this public hearing will be held is accessible to the physically handicapped. Interested parties are hereby advised that they may appear at said meeting and be heard with respect to the application. Written comment from the public with regard to the application will also be accepted.

Information pertaining to the above may be inspected at the [Code Enforcement Board] at [65 Stone St.] Cocoa, Florida between 8:00 a.m. and 5:00 p.m., Monday through Friday, beginning the Friday before the Board Meeting **January 16th, 2025** or by calling [321-433-8508].

CODE BOARD AGENDA ITEM

Memo Date: 12/09/2024
Agenda Date: 1/16/2025
Prepared By: Darla Crawl, Code Enforcement Coordinator
Through: Darla Crawl, Code Enforcement Coordinator
Requested Action: Request Approval of the Minutes of the Code Enforcement Regular Meeting held on November 21, 2024, either as written or with amendments.

BACKGROUND:

PRIORITY AREA CONNECTION:

Public Safety/Community Standards

BUDGETARY IMPACT:

PREVIOUS ACTION:

RECOMMENDED MOTION:

Request Approval of the Minutes of the Code Enforcement Regular Meeting held on November 21, 2024, either as written or with amendments.

**Code Enforcement Board
Meeting Minutes
November 21, 2024**

A meeting of the Code Enforcement Board of the City of Cocoa was held on Thursday, November 21, 2024 in the Council Chambers at 65 Stone Street, Cocoa, as publicly noticed.

OPENING MATTERS:

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

MEMBERS PRESENT:

Lloyd Roberts	Chairman
George Brown Jr.	Vice Chairman
Sharri Scott	Board Member
Dik Muller	Board Member
Melissa Acosta	Board Member
Michael Simpson	Board Member

MEMBERS ABSENT:

Gloria Weatherspoon	1st Alternate-excused
Josue Otero	Board Member-excused

OTHERS PRESENT:

Tom Wilkinson	Code Enforcement Manager
Micheal Mack	Code Enforcement Officer
Kristin Eick	Board Attorney
Darla Crowl	Recording Secretary
Officer Wedlowe	Police Officer
Ms. Weeks	Councilwoman

The Board Secretary swore in all Staff members giving testimony.

APPROVAL OF AGENDA AND MINUTES:

1. Approval of Agenda: November 21, 2024

Motion by Vice Chair. Brown, seconded by Mr. Muller, to approve to the agenda of November 21, 2024. Vote on the motion carried unanimously.

2. Approval of Meeting Minutes: August 15, 2024.

Motion by Vice Chair Brown, seconded by Ms. Acosta, to approve to the minutes of August 15, 2024. Vote on the motion carried unanimously.

3. Submit to the record of all documents & notices for all cases on the Agenda.

CASES:

1. CE-24-279 – 1112 Ohio Street

Code Enforcement Officer Micheal Mack provided an overview of the Case history and presented exhibits for the Board's review. Officer Mack testified that the Property Owner was in violation of *Accessory Structures Ch 6 Sec. 6-1001 (g)*, *Accum. Of Trash and Litter Ch 6 Sec. 6-900 (b)(1)a-d*, *Exterior General Condition Ch 6 Sec. 6-1003 (a-p)*, *Maint of Struct/Grounds Ch 6 Sec. 6-900 (b)(4) a-c*, *Parking in Yard Ch 6 Sec. 6-900 (b)(9)*, *Permit Required App A Art. XV Sec 2 (a)*, *Protective Treatment, Ch 6 Sec. 6-1003 (b)*, *Storage of Rec. Vehicles, App A Art. XIII Sec 14 (a-d)*, *Storing Vehicles, Ch 6 Sec. 6-900 (b)(8)*, *Storing Junk or Autos, Ch 6 Sec. 6-902 (b)(1)(2)*, *Storing Outdoors, Ch 6 Sec. 6-900 (b)(11)*, *Temp Storage, App A Art. XIII Sec 30 (a)(3)*, *Trailers In Yard, Ch 6 Sec. 6-900 (b)(15)*, *District and Intent – RU – 1-7 and Single- Family Residence App. A Art. XI, Sec. 3 and of the City Code.*

Officer Mack requested that the Board find the Property Owner in violation and be given until January 21, 2025 (60 days) to come into compliance or impose a fine **twenty-five dollars (\$25.00)** per day until found in compliance.

Property owner was sworn in: Mark Yates, 1112 Ohio Street

Vice Chair Brown asked Officer Mack if any of the violations have been corrected. Officer Mack stated that the violations have not been corrected and that the Police Department had been called out to the property for a disturbance. Ms. Scott had questions about the compliance date that was for 60 days not 30 days. Ms. Scott had question about the twenty-five dollars per violation or for all. Officer Mack explained to Ms. Scott that Manager Wilkinson was the person that said to do twenty-five dollars (\$25.00) for all the violations. Officer Mack stated the owner does live at the property. Chairman Roberts asked if this case could be continued because of all of the conflicting items on the agenda? Attorney Eick gave her thoughts on what could be done for this case. Chairman Roberts voiced his opinion about what was going on with the agenda and the Code Board Meeting. He stated he was very unhappy. More discussion amongst the Board members Attorney Eick and staff.

Motion by Ms. Scott, seconded by Ms. Acosta, to table this case until the next meeting January 16, 2025 and find the Property Owner in violation. Vote on the motion carried unanimously.

NON-COMPLIANCE:

2. CE-23-532 – 724 Aurora St

Code Enforcement Officer Micheal Mack provided an overview of the Case history and presented exhibits for the Board's review. Officer Mack testified that the Property Owner is in violation of ***Exterior General Condition Ch 6 Sec. 6-1003 (a,b,f)*** of the City of Cocoa Code.
Officer

Mack stated a Notice of Hearing was sent on **November 5, 2024** and property owner remains in violation.

Ms. Acosta asked what the violation was for. Officer Mack explained the separation of the wall from the original structure. Chairman Roberts asked how long the property owner was given to fix the property. They were given one month to come into compliance. They were given a year prior to fix before coming to the Board. Discussion amongst the Board members and staff.

Motion by Mr. Brown seconded by Mr. Simpson, to approve Staff's recommendation and find the Owner in Non-Compliance. Vote on the motion carried unanimously.

3. CE-23-843 – 1206 Tulip Lane

Code Enforcement Officer Micheal Mack provided an overview of the Case history and presented exhibits for the Board's review. Officer Mack testified that the Property Owner is in violation of ***District and Intent – RU-1-7-Single Family Residential, App. A, Art. XV, Sec. 3 and Permit Required, App. A Art. XV Sec. 2 (a)*** of the City of Cocoa Code. Officer Mack stated a Notice of Hearing was sent on **November 5, 2024** and property owner remains in violation.

Property owner was sworn in: Imran Qureshi, 1207 Rosecrans Ave, Fullerton, CA

Mr. Qureshi reminded the Board that they gave him 3 months to come into compliance. He stated that he was having problems getting a contractor. Mr. Qureshi has found a new contractor to start the project. Mr. Qureshi asked the Board for more time. Chairman Roberts stated that this was a noncompliance hearing. Chairman Roberts explained that once the property was fixed he could come back in front of the Board for a lien reduction. More discussion amongst the Board members and staff.

Motion by Mr. Brown seconded by Mr. Simpson, to approve Staff's recommendation and find the Owner in Non-Compliance. Vote on the motion carried unanimously.

4. CE-23-1264 – 356 Lucas Lane #B

Code Enforcement Officer Micheal Mack provided an overview of the Case history and presented exhibits for the Board's review. Officer Mack testified that the Property Owner is in violation of ***Permit Required App A Art. XV Sec 2 (a), Exterior General Condition Ch 6 Sec. 6-1003 (a)(b)(m), Rental Business Tax, Ch 6 Sec. 6-2003, One Time Fee of \$250, and Electrical Facilities, Sec. 6-1303 (c)*** of the City of Cocoa Code. Officer Mack stated a Notice of Hearing was sent on **November 7, 2024** and property owner remains in violation.

Motion by Mr. Simpson seconded by Ms. Acosta, to approve Staff's recommendation and find the Owner in Non-Compliance. Vote on the motion carried unanimously.

4. CE-24-152 – 1302 Japonica

Code Enforcement Officer Micheal Mack provided an overview of the Case history and presented exhibits for the Board's review. Officer Mack testified that the Property Owner is in violation of ***Accessory Structures Ch 6 Sec. 6-1001 (g), Exterior Structure (Unsanitary and Disrepair), Sec. 6-1003 (a), Exterior Structure (Exterior Walls), Sec. 6-1003 (f) and Permit***

Required, App. A Art. XV Sec. 2 (a) of the City of Cocoa Code. Officer Mack stated a Notice of Hearing was sent on **November 5, 2024** and property owner remains in violation.

Chairman Roberts stated what was read into the record was not what was on the agenda. Attorney Eick also stated the code sections were not the same as what was on the agenda. Attorney Eick stated the Board Order was the same as what Officer Mack read into the record. Manager Wilkinson said that was a scrivener's error, but the board order was correct. Chairman Roberts stated that the Board and Code Enforcement should be on the same page and the agenda and what is read in should match. Chairman Roberts was upset that the Board and Code Enforcement look like a second-rate city. Chairman Roberts asked the attorney if he could adjourn the meeting. Attorney Eick suggested to continue this item as there were 2 lien reductions on the agenda. More discussion amongst the Board members and staff.

Motion by Chairman Roberts seconded by Ms. Acosta, amend Staff's recommendation and continue to the January 16, 2025 meeting and find the Owner in Non-Compliance. Vote on the motion carried unanimously.

6. CE-23-624 – 1044 W Hillcrest

Code Enforcement Officer Micheal Mack provided an overview of the Case history and presented exhibits for the Board's review. Officer Mack testified that the Property Owner is in violation of **Permit Required App A Art. XV Sec 2 (a)** of the City of Cocoa Code. Officer Mack stated a Notice of Hearing was sent on **November 5, 2024** and property owner remains in violation.

Vice Chairman asked what the problem with getting a permit for that. Officer Mack stated that 2 permits were required one from the public works (because work in city easement) one from the building department. Ms. Acosta asked how long the pavers have been down. Officer Mack stated they have been down since 2023. More discussion amongst the Board members, property owner, attorney and staff.

Property owner was sworn in: De La Mendoza, 1044 W Hillcrest

Motion by Mr. Simpson seconded by Ms. Acosta, to approve Staff's recommendation and find the Owner in Non-Compliance. Vote on the motion 5-Yay 1-Nay (Mr. Muller).

Lien Reductions:

1. CE-09-352 – 1208 Cambridge Dr.

The Code Enforcement Board held a public hearing on **September 17, 2009**, at which time the Board found the owner, **James Carrier** in violation of the following:

- **Permit Required Sec. 6-105 (a)**

The Code Enforcement Board provided the owner sufficient time to correct said violation. Therefore, consistent with the Code Enforcement Board's Order a Non-Compliance Hearing was held on **November 19, 2009**.

The lien ran at **\$100.00** per day from **October 17, 2009** until compliance was achieved on **July 5, 2023** Code records show onsite inspections were conducted by **Officers Buell, Buonocore, and Myself**. The case was closed leaving a fine of **\$500,910**. The current owner, **James Carrier**, is requesting that the lien be reduced to **the cost of staff**.

Staff utilized the following factors in making its recommendation to reduce the lien:

- Whether the current owner owned the property at the time the violation(s) occurred; **Yes**
- Applicant resides at the property: **Yes**
- The number of violations related to the subject lien; **One**
- Number of Inspections performed: **13**
- Property Taxes: **Taxes are paid through 2023**
- Other Liens: **Records show no outstanding liens on the property. No water liens**
- Property Inspection: **The property was inspected this morning, September 19, 2024 and was in-compliance before the Code Board Hearing. An inspection will also occur prior to the Council Meeting**

The current market value of the subject property; the current market value is **\$186,820** according the Brevard County Property Appraiser as a **Single-Family Residence**.

Staff submits their cost sheet and the in the total amount of **\$2,274.72**

Staff's recommendation is that the fine/lien be reduced to **\$2,274.72** which is the cost of staff to prosecute this case. This reduction is based on the gravity of the violations, the length of time it took the property to come into compliance, and the total amount of the City's Cost.

Property owner was sworn in: James Carrier, 1208 Cambridge Dr.

More discussion amongst the Board members and staff.

Attorney Eick asked Manager Wilkinson what was done on the property to require a permit. Mr. Carrier stated that he enclosed his carport without a permit. Mr. Carrier gave an overview of what he did on the property. Vice Chairman Brown recommended the lien be reduced to the amount of two thousand five hundred dollars (\$2,500.00) which Chairman Roberts suggested a different amount.

Motion by Chairman Roberts, seconded by Mr. Muller, to amend staff's recommendation to City Council the lien reduction be in the amount of one thousand one hundred thirty-seven dollars and thirty-six cents (\$1,137.36). Vote on the motion carried unanimously.

2. CE-21-0044 – 228 Beverly Road

The Code Enforcement Board held a public hearing on **June 17, 2021**, at which time the Board found the owner, **Joe Shaffer** in violation of the following:

- **XXXIII.Storing Outdoors, Ch 6 Sec. 6-900 (b)(11)**
- **Accum. Of Trash and Litter Ch 6 Sec. 6-900 (b)(1)a-d**
- **XX/I.Permit Required App A Art. XV Sec 2 (a)**
- **Tents as accessory structures is prohibited APP. A,ART.XIII, Sec.6**

The Code Enforcement Board provided the owner sufficient time to correct said violation. Therefore, consistent with the Code Enforcement Board's Order a Non-Compliance Hearing was held on **August 19,2021.**

The lien ran at **\$100.00** per day from **July 17th, 2021** until compliance was achieved on **February 9th, 2024** Code records show onsite inspections were conducted by **Officers Steven Murdick, Augusto Gonzalez and Myself.** The case was closed leaving a fine of **\$93,720.00.**The current owner, **Barry Shaffer,** is requesting that the lien be reduced to **the amount of zero.**

Staff utilized the following factors in making its recommendation to reduce the lien:

- Whether the current owner owned the property at the time the violation(s) occurred; **No**
- Applicant resides at the property: **NO**
- The number of violations related to the subject lien; **Four**
- Number of Inspections performed: **19**
- Property Taxes: **Taxes are paid through 2024**
- Other Liens: **Records show no outstanding liens on the property. No water liens**
- Property Inspection: **The property was inspected this morning, November 21, 2024 and was in-compliance before the Code Board Hearing. An inspection will also occur prior to the Council Meeting**

The current market value of the subject property; the current market value is **\$195,200** according the Brevard County Property Appraiser as a **Single-Family Residence.**

Staff submits their cost sheet and the in the total amount of **\$2,741.58**

Staff's recommendation is that the fine/lien be reduced to **\$2,741.58** which is the cost of staff to prosecute this case. This reduction is based on the gravity of the violations, the length of time it took the property to come into compliance, and the total amount of the City's Cost.

Property representative was sworn in: Stewart Buchanan, P.O. Box 1545, Titusville

Mr. Buchanan excepted the amount of the lien reduction amount of **\$2,741.58.**

Motion by Mr. Brown, seconded by Mr. Simpson, to approve staff's recommendation to City Council the lien reduction be in the amount of two thousand seven hundred forty-one dollars and fifty-eights cents (**\$2,741.58**). Vote on the motion carried unanimously.

NEW BUSINESS

None

Other Business:

None

ABATEMENT APPEALS:

None

Manager Announcements:

None

NEXT MEETING:

The next regular meeting of the Code Enforcement Board will be held on January 16, 2025.

ADJOURNMENT:

There being no further business the meeting adjourned at 7:36 PM.

Approved on this _____ day of _____, 2025.

Lloyd Roberts, Chairman

Darla Crowl, Recording Secretary