

Code Enforcement Board
Meeting Minutes
April 21, 2016

A regular meeting of the Code Enforcement Board of the City of Cocoa was held on Thursday, April 21, 2016 in the Council Chambers at 65 Stone Street, Cocoa, as publicly noticed.

OPENING MATTERS:

Chairman Jim Gifford called the meeting to order at 6:07 P.M. The Board Secretary called the roll.

MEMBERS PRESENT:

Jim Gifford	Chairman
George Brown, Jr.	Vice-Chairman
Michael Klug	Board Member
Virginia Weaver	Board Member

MEMBERS ABSENT:

Michael Cicerella	Board Member
David Lightholder	Board Member
Bill Terrell	Board Member

OTHERS PRESENT:

Steven Belden	Community Services Director
Nancy Dresser	Deputy Community Services Director
Christopher Counsellor	Code Enforcement Supervisor
Steven Murdick	Code Enforcement Officer
Michael Mack	Code Enforcement Officer
Scott Davis	Building Official
Debra Babb-Nutcher	Board Attorney
Rachel Unruh	Recording Secretary

The Board Secretary swore in all Staff members giving testimony.

APPROVAL OF AGENDA & MINUTES:

1. Approval of Agenda: April 21, 2016

Chairman Jim Gifford noted changes to the agenda (Items complied, tabled, and withdrawn).

Motion by Ms. Weaver, seconded by Mr. Klug, to approve the agenda of April 21, 2016 as amended. Vote on the motion carried unanimously.

2. Approval of Meeting Minutes: March 17, 2016

Motion by Mr. Brown, seconded by Ms. Weaver, to approve the minutes of March 17, 2016, as written. Vote on the motion carried unanimously.

CASES:

1. CE 15-1082 – 411 Churchill St.

This Case was tabled.

BUSINESS TAX RECEIPTS:

2. CE 16-154 - 1616 Ridge Dr.

This Case was withdrawn from the agenda.

3. CE 16-155 - 1201 Myrtle Ln.

This Case was found in compliance.

4. CE 16-156 - 4961 Calamondin Ave./ 3900 Pine St.

This Case was found in compliance.

5. CE 16-157 - 310 Shearer Blvd. Unit 2

This Case was found in compliance.

6. CE 16-158 - 1043 Myrtle Ln.

7. CE 16-159 - 1704 Sunhome St.

This Case was withdrawn from the agenda.

8. CE 16-160 - 226 King St.

This Case was withdrawn from the agenda.

9. CE 16-161 - 54 Parkway St. Unit 3

This Case was found in compliance.

10. CE 16-162 - 3062 Oxbow Cir.

This Case was found in compliance.

11. CE 16-163 - 2995 Grissom Pkwy

This Case was withdrawn from the agenda.

12. CE 16-164 - 805 N Fiske Blvd. Building #1

This Case was found in compliance.

13. CE 16-165 - 442 King St.

This Case was withdrawn from the agenda.

14. CE 16-166 - 430 Brevard Ave. Unit 100

15. CE 16-167 - 1811 N Cocoa Blvd.

This Case was found in compliance.

16. CE 16-168 – 1052 Myrtle Ln.

This Case was withdrawn from the agenda.

17. CE 16-169 - 128 Grimes St.

18. CE 16-170 - 319 River Edge Blvd Unit 10

This Case was found in compliance.

19. CE 16-171- 1708 Pineda St.

This Case was found in compliance.

20. CE 16-172 - 336 Carleton Dr.

This Case was found in compliance.

21. CE 16-173 - 1685 Nomad St.

22. CE 16-174 - 105 Stone St.

This Case was withdrawn from the agenda.

23. CE 16-175 - 4512 Pine Cone Pl.

This Case was withdrawn from the agenda.

Supervisor Counsellor respectfully requested that the Board find the Respondents in violation and be given until April 28, 2016 to come into compliance or impose a fine in the amount of two hundred and fifty dollars (\$250.00).

Motion by Mrs. Weaver, seconded by Mr. Klug, to accept staff's recommendation to allow the Respondents to come into compliance within seven days or impose a fine of two hundred and fifty dollars (\$250.00). Vote on the motion carried unanimously.

NON-COMPLIANCE:

1. CE 15-1097 – 2009 N. Cocoa Boulevard

Code Enforcement Chris Counsellor provided an overview of the Case history and presented exhibits for the Board's review. Mr. Counsellor testified that the Respondent has complied with Section 6-900(b)(1), Junk & Debris; and Section 6-1001(d), Weeds / Overgrowth but is still in violation of Section 6-1003(f), Exterior Walls of the City of Cocoa Code.

Mr. Counsellor stated that the Case was heard on March 17, 2016 and the Respondent was given until April 16, 2016 to correct the violation or impose a fine in the amount of two hundred and fifty dollars (\$250.00) per day until found in compliance; in the event of a re-occurrence five hundred dollars (\$500.00) per day.

Mr. Counsellor respectfully requested that the Board find the Respondent in non-compliance and impose a fine in the amount of two hundred and fifty dollars (\$250.00) per day until found in compliance; in the event of a re-occurrence five hundred dollars (\$500.00) per day.

Motion by Ms. Weaver, seconded by Mr. Brown, to accept Staff's recommendation and find the Respondent in non-compliance. Vote on the motion carried unanimously.

BUSINESS TAX RECEIPTS (RESIDENTIAL RENTALS):

2. CE 16-069 – 1053 Bellefonte Ave.
3. CE 16-071 – 1004 Westview Dr.
4. CE 16-076 – 1514 Clearlake Rd.
5. CE 16-078 – 13 N. Fiske Blvd.
6. CE 16-085 – 1711 Dixon Blvd., Unit 185
7. CE 16-086 – 243 Stone St.
8. CE 16-089 – 1710 University Ln.
9. CE 16-093 – 1120 Gary Hunt Rd. #3A

Mr. Counsellor recommends that the cases above in non-compliance for the violation of Section 6-2003 Rental/Business Tax Receipt.

Motion by Mrs. Brown, seconded by Mr. Klug, to find the above addresses in non-compliance.

OTHER:

1. Demolition Appeal -- 1044 Bellefonte Ave.

Mr. Chris Counsellor gave background for the property at 1044 Bellefonte. Mr. Counsellor stated that the property was cited on March 4, 2016 for unsafe and nuisance structure by the Building Official. On March 25, 2016, the property management company contacted the Building Official to request more time to repair the property, at that time the Building Official provided a list of necessary repairs to make the property habitable. Mr. Counsellor explained that Code has no active cases on the property but that the property has had previous code cases at that location. Mr. Counsellor also stated that the property has not had running water since May 2013 and power can't be restored to the property until approval from the Building Official.

A representative from A to Z Field Services, the property management company, was sworn in. The representative testified that it is the intent of US Bank National Association, the property owner, to restore the structure back to living conditions and convey the property over to HUD. The representative presented photos of the property and bid papers to the staff and board members to review. The Representative stated that the company is ready to start the work if they can avoid the demolition of the structure. Mr. Davis, the Building Official, explained that permits will need to be obtained to complete the work. However, it should not take more than 30 days to pull the required permits. Mr. Belden, Community Services Director, and the City Attorney both recommended that the board continue the case until the next board meeting, in order for the owner of the property to prepare a time line on the completion of the project and to pull permits.

Motion by Mrs. Weaver, seconded by Mr. Klug, to continue the case until the May 19, 2016 board meeting. Vote on the motion carried unanimously.

2. Demolition Appeal – 227 Lemon St.

Mr. Chris Counsellor gave background for the property at 227 Lemon Street. Mr. Counsellor stated that the property was cited in July 2015 for numerous Building and Code Violations. Mr. Counsellor explained that a running lien of \$250 per day is currently running until the property comes into compliance. The home was condemned by the Building Official in November 2015, the location hasn't had any running water since October 2013 and the power cannot be restored to the property without the approval of the Building Official. Mr. Counsellor stated that the property had two structures on the parcel and that 229 Lemon was condemned in November 2015 and demolished by the City of Cocoa in February 2016. The property remains open and unsecured as of March 17, 2016.

The property owner, Lerech Malave, was sworn in. Mrs. Malave testified that she was going to bring 227 Lemon St up to date per the building codes. She asked that the board give her more time to pull permits and fix the violations. She stated she could have the work completed by July at the latest.

Mr. Davis, Building Official, stated that to make the home occupiable the structure permits would need to be pulled and any need structural drawings depending on the condition of the roof. Mr. Belden recommended that the board does not continue the case until the next meeting on May 19, 2016, that a completion date for the repairs be set instead. Board discussion followed, a motion was made to continue the case until the next meeting on May 19, 2016, setting forth two provisions: having the permits pulled and a time line is provided by the owner at the next meeting.

Motion by Mrs. Weaver, seconded by Mr. Klug, to continue the case with conditions. Vote on the motion carried unanimously.

3. Demolition Appeal -- 801 Washington St

Mr. Chris Counsellor gave background for the property at 801 Washington. Mr. Counsellor stated that the property was posted March 4, 2016 as unsafe due to the back of home being open to the elements. The property has had no running water since September 2006 and FPL has disconnected the power to the home. The property is currently vacant but was issued permits for interior renovations in June 2015; the permit expired due to the lack of inspections. The owner contacted the Building Official on March 9, 2016 to appeal the demolition order the permit was renewed on April 6, 2016. Mr. Counsellor explained that the initial issue was the room to the rear of the property but since the permit was renewed the property owner has increased the scope of the initial project. Mr. Davis, Building Official, explained that the permit is good for six months; and that he spoke with the owner and that the owner stated he would be getting the job under way. Mr. Belden, Community Services Director, and the City Attorney agreed that the permit gives the owner a six month time frame to work within to accomplish the repairs. The board members discussed that coming back to the board as a Code case may be the better option. The City Attorney offered that the City abate the property in order to make it safe. Mr. Belden explained that the City will not abate the property but will open a code case on the violations. The City Attorney recommended that the City withdrawal the case from the agenda. Mr. Counsellor stated that the City will open a code case and then the board can set a hard date for compliance on the property. The City withdrew the case from the agenda and will bring it back as a code case in the future.

The owner of the property was not present.

No motion required.

OTHER:

Mr. Belden introduced the new Code Officer Michael Mack and the Recording Secretary Rachel Unruh.

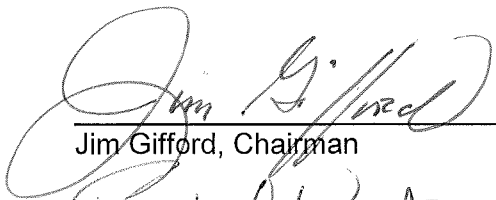
NEXT MEETING:

The Board members established that the next meeting would be held on May 19, 2016.

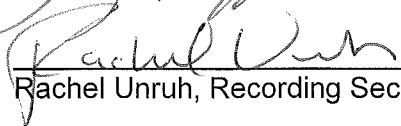
ADJOURNMENT:

There being no further business the meeting adjourned at 6:56 P.M.

Approved on this 19th day of May, 2016.



Jim Gifford, Chairman



Rachel Unruh, Recording Secretary

