

**Code Enforcement Board
Meeting Minutes
April 19, 2018**

A regular meeting of the Code Enforcement Board of the City of Cocoa was held on Thursday, April 19, 2018 in the Council Chambers at 65 Stone Street, Cocoa, as publicly noticed.

OPENING MATTERS:

Chairman Jim Gifford called the meeting to order at 6:01 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 Cicerrella	Board Member

MEMBERS ABSENT:

Stephanie Moretto	Board Member
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OTHERS PRESENT:

Dennis Bunt	Code Enforcement Manager
Mike Cantaloupe	Police Chief
Steve 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: April 19, 2018

Motion by Mr. Cicerrella, seconded by Mr. Brown, to approve the agenda of April 19, 2018 as amended. Vote on the motion carried unanimously(6-0).

2. Approval of Meeting Minutes: March 15, 2018

Motion by Mr. Cicerrella, seconded by Mr. Lightholder, to approve the minutes of March 15, 2018, as amended. Vote on the motion carried unanimously(6-0).

NEW BUSINESS:

None

CASES:

1. CE-17-857 301 N Varr 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 Accum. Of Trash & Litter, Ch 6 Sec. 6-900(b)(1)a-d, Storing Vehicles, Ch 6 Sec. 6-900 (b)(8), Storing Outdoors, Ch 6 Sec. 6-900 (b)(11), Parking in Yard, Ch 6 Sec 6-900(b)(9), Trailers in Yard Ch 6 Sec. 6-900(b)(15) 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 May 13, 2018 (30 days) to come into compliance or impose a fine for one hundred fifty dollars (\$150.00) per day until found in compliance.

Brenda Tyson, 301 N Varr, was sworn in. Ms. Tyson stated the home was her fathers and he is deceased and the mother no longer lives in the home. Ms. Tyson stated she is trying to clean up the property and further explained that some of the violations have been corrected. Ms. Tyson will be moving the trailer and the items on it will be going to the dump over the weekend.

Discussion amongst the Board members, staff and Ms. Tyson.

Ms. Tyson stated that 30 days will be adequate time to correct the violations.

Additional discussion amongst the Board members, staff and Ms. Tyson.

Motion by Mr. Cicerella, seconded by Mr. Klug, to approve Staff's recommendation and find the Property Owner in violation. Vote on the motion carried unanimously(6-0).

2. CE-17-860 1109 Broadmoor Dr.

This case complied.

3. CE-17-861 1111 Broadmoor Dr.

This case complied.

4. CE-17-838 1040 Mitchell 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 Rental Business Tax, Ch 6 Sec. 6-2003, Storing Vehicles, Ch6 Sec. 6-900(b)(8), Boarded up Buildings, Ch 6 Sec 6-900(b)(5) and Parking in Yard, Ch6 Sec 6-900(b)(9), of the City of Cocoa Code.

Officer Murdick requested that the Board find the Property Owner in violation and be given until May 13, 2018 (30 days) to come into compliance or impose a fine for one hundred dollars (\$100.00) per day until found in compliance. Property 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(6-0).

5. CE-17-629 1213 Cypress Ln

This case complied

6. CE-17-632 1210 Cypress Ln

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 Accum. Of Trash and Litter Ch 6 Sec. 6-900(b)(1)a-d, of the City of Cocoa Code.

Officer Murdick requested that the Board find the Property Owner in violation and be given until May 13, 2018 (30 days) to come into compliance or impose a fine for fifty dollars (\$50.00) per day until found in compliance. Property owner was not present. Discussion amongst the Board members and staff.

Motion by Mr. Brown, seconded by Mr. Klug, to approve Staff's recommendation and find the Property Owner in violation. Vote on the motion carried unanimously(6-0).

NON-COMPLIANCE:

1. CE-17-285 4002 Pinyon 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 Permit Required (fence) App A Art. XIII Sec5(c), of the City of Cocoa Code. Officer Murdick stated that the Case was heard on February 15, 2018 and the Property Owner was given until March 17, 2018 to correct the violation or impose a fine in the amount of twenty five dollars (\$25.00) per day until found in compliance. Officer Murdick requested that the Board find the Property Owner in compliance and impose a fine for seven hundred fifty dollars (\$750.00), for the fine run for 32 days.

Discussion amongst Board members and staff.

Dennis Bunt, Code Manager, stated that the permit was submitted April 10, 2018 and pulled on April 17, 2018. Mr. Bunt explained that they had until March 17, 2018 to pick the permit up.

Additional discussion amongst the Board members and staff.

Motion by Mr. Cicerrella, seconded by Ms. Weaver, to find the property in non-compliance for 32 days and now find the property in compliance. Vote on the motion carried unanimously(6-0).

Property Owner was present and discussion amongst Board members, staff and Ms. Barrial.

Case was re-opened.

Niurka Barrial, 4002 Pinyon Dr. was sworn in. Ms. Barrial stated that her son spoke with Steve Angeline and the inspection passed.

Additional discussion amongst the Board members, staff and Ms. Barrial.

Mr. Bunt explained to Ms. that the property was in non-compliance for 32 days and the inspection from the Building Department doesn't change the Code Enforcement action.

Motion by Mr. Cicerrella, seconded by Mr. Klug to close the case. Vote on the motion carried unanimously(6-0).

2. CE-16-777 2825 Denison Ct

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 Rental Business Tax, Ch 6 Sec. 6-2003 and Single-Family Residential District, App A Art. XI Sec 3, of the City of Cocoa Code. Officer Murdick stated that the Case was heard on January 18, 2018 and the Property Owner was given until March 19, 2018 to correct the violation or impose a fine in the amount of one hundred dollars (\$100.00) 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 dollars (\$100.00) per day until found in compliance.

Discussion amongst Board members and staff.

Motion by Ms. Weaver, seconded by Mr. Lightholder, to find the property in non-compliance. Vote on the motion carried unanimously(6-0).

LIEN REDUCTION:

1. CE-15-473 1205 Japonica Ln

Dennis Bunt, Code Enforcement Manager, presented a staff report for the lien reduction request. Mr. Bunt stated on June 18, 2015 for CE-15-473 the Code Enforcement Board found the property owner, Innova Investment LLC., in violation of Section 6-900(b)(4) Maintenance of a Structure, Section 6-1003 (f) Exterior Walls and Section 6-1003(h) Decorative Features and the lien ran at one hundred dollars (\$100.00) per day from September 15, 2015 until compliance was achieved on February 9, 2018. The total amount of the lien is \$94,000 and the current owner, Innova Investment LLC, is requesting that the lien be reduced to the amount of \$1,000.

Based on the factors in the staff report, staff recommended the lien be reduced to \$9,400.

Nicolas Bravo-Camino managing partner for Innova Investment Group, 1205 Japonica Ln, was sworn in. Mr. Camino stated there is an error on the tax appraiser's site regarding the name of his company. Mr. Camino stated they foreclosed on the property and the old liens. He explained the notices have been being sent to the wrong company, however the attorney represents both Innova Investment Group and Innova Investment LLC.

Mr. Bunt explained there were old cases with fines but they have been cleared by the foreclosure however case CE-15-473 was filed after Innova Investment owned the property. Mr. Bunt further explained that Scott Davis condemned the property and the owner came before the Board for a demo appeal and they were granted a 120 days to repair the structure and now exceeded the 120 days.

Mr. Camino provided documents for the two different companies to the Board members.

Debra Babb-Nutcher, Board Attorney, reviewed the documents provided by Mr. Camino and summarized the documents to the Board members regarding the names provided on the property appraisers site. Mrs. Babb-Nutcher stated staff is to serve notice to the owner of record in accordance to Chapter 162 in Florida State Statute.

Mr. Camino stated again that he didn't receive the notices regarding the violations, if he had the violations would have been corrected immediately.

Discussion amongst Board members and Mr. Camino.

Motion by Mr. Lightholder, seconded by Ms. Weaver, to recommend to City Council the lien reduction in the amount of four thousand five hundred dollars (\$4,500). Vote on the motion carried unanimously(6-0).

ABATEMENT APPEALS:

None

DEMOLITION APPEALS:

1. CE-18-21 731 W King Street

Manager Dennis Bunt gave background for the property at 731 W King Street. Mr. Bunt stated that current property owner is Moving on LLC and the property was condemned by Scott Davis, Building Official. Mr. Bunt stated that Mr. Patacer and the Building Department, Mr. Bunt provided an email from Scott Davis regarding the repairs that are still needed to be address. Mr. Bunt explained the Moving on LLC has asked for an additional 120 days to make the repairs that are required. As of today the property still remains open and unsecured. Mr. Bunt explained that Scott Davis felt that the repairs could be made in less than 120 days, since there are no structural damages.

Mark Patacer, 731 w King Street, was sworn in.

Mr. Lightholder stated in order for the Board to consider removing the property from the demo list then Mr. Patacer should have had a time frame for the work to be completed and pulling a permit.

Mr. Patacer stated he was told from Scot Davis, Building Official, he would not need to since the roof and walls were not damaged structurally. Mr. Patacer stated Scott Davis gave him a list and he checked on required permits and the work that was listed didn't need to have a permit. Mr. Patacer explained he has cleaned the trees up, removed the fence and replaced a couple boards on the mansard. Mr. Patacer explained that he has removed all the items inside the building too.

Ms. Weaver asked how long the building has been empty.

Mr. Patacer stated it's been empty since he has owned it and he plans are to repair it to rent.

Mr. Bunt has asked for the Board to consider requiring a time frame for completion of the repairs to be submitted in 30 days.

Discussion amongst the Board members and staff.

Motion by Mr. Lightholder, seconded by Mr. Brown, to give the property owner 30 days to provide the City with a detailed time frame of the work to be completed and to apply for permits, if accepted by the Building Department then 90 additional days will be added for the completion of the work or the City moves forward with the demo process. Discussion amongst the Board, staff and Mr. Patacer. Vote on the motion carried unanimously(6-0).

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 May 17, 2018.

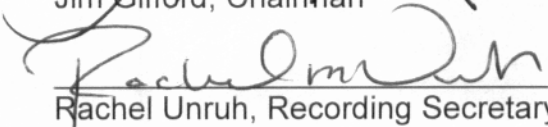
ADJOURNMENT:

There being no further business the meeting adjourned at 6:58 PM.

Approved on this 17th day of May, 2018.



Jim Gifford, Chairman



Rachel Unruh, Recording Secretary