

CITY OF COCOA
CODE ENFORCEMENT BOARD
MEETING MINUTES
MARCH 17, 2016

A regular meeting of the Code Enforcement Board of the City of Cocoa was held on Thursday, March 17, 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 Cicerella	Board Member
Michael Klug	Board Member
David Lightholder	Board Member
Bill Terrell	Board Member
Virginia Weaver	Board Member

MEMBERS ABSENT:

OTHERS PRESENT:

Brenda Warner	Councilwoman
Steven Belden	Community Services Director
Christopher Counsellor	Code Enforcement Supervisor
Russell Zervos	Code Enforcement Officer
Steven Murdick	Code Enforcement Officer
Debra Babb-Nutcher	Board Attorney
Monica Arsenault	Board Secretary

The Board Secretary swore in all Staff members giving testimony.

APPROVAL OF AGENDA & MINUTES:

1. Approval of Agenda: March 17, 2016

Chairman Jim Gifford noted changes to the agenda (Items complied, tabled, and withdrawn).

Motion by Ms. Weaver, seconded by Mr. Lightholder, to approve the agenda of March 17, 2016 as amended. Vote on the motion carried unanimously.

2. Approval of Meeting Minutes: February 18, 2016

Motion by Mr. Cicerella, seconded by Ms. Weaver, to approve the minutes of February 18, 2016, as written. Vote on the motion carried unanimously.

CASES:

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

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

Supervisor Counsellor respectfully requested that the Board find the Respondent in violation and be given until April 16, 2016 to come into compliance or impose a fine in the amount of one hundred and fifty dollars (\$150.00) per day until found in compliance; in the event of a re-occurrence three hundred dollars (\$300.00) per day.

The Board respectfully amended staff's recommendation and raised the amount of the fine to 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 Mr. Cicerella, seconded by Mr. Klug, to accept the amended recommendation and find the Respondent in violation. Vote on the motion carried unanimously.

2. CE 16-009 – 246 Orange Street

This case has been removed.

BUSINESS TAX RECEIPTS (RESIDENTIAL RENTALS):

3. CE 16-069 – 1053 Bellefonte Avenue
4. CE 16-071 – 1004 Westview Drive
5. CE 16-073 – 1711 Dixon Boulevard #197

This case has complied.

6. CE 16-075 – 312 N. Fiske Boulevard

This case has been tabled.

7. CE 16-076 – 1514 Clearlake Road
8. CE 16-078 – 13 N. Fiske Boulevard
9. CE 16-079 – 1059 Bellefonte Avenue
10. CE 16-080 – 2105 Mac Farland Drive

This case has complied.

11. CE 16-081 – 123 Cocoa Place

This case has complied.

12. CE 16-082 – 1514 Clearlake Road #24

This case has complied.

13. CE 16-084 – 142 Lynell Lane

This case has complied.

14. CE 16-085 – 1711 Dixon Boulevard #185

15. CE 16-086 – 243 Stone Street

16. CE 16-087 – 1205 Purdue Way

This case has complied.

17. CE 16-088 – 1046 Bellefonte Avenue

This case has complied.

18. CE 16-089 – 1710 University Lane

19. CE 16-092 – 2115 Mac Farland Drive

This case has complied.

20. CE 16-093 – 1120 Gary Hunt Road #3A

Supervisor Counsellor respectfully requested that the Board find the Respondents in violation and be given until March 24, 2016 to come into compliance or impose a fine in the amount of two hundred and fifty dollars (\$250.00).

Motion by Mr. Cicerrella, seconded by Mr. Lightholder, 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.

Motion by Mr. Terrell, seconded by Mr. Lightholder, to table item six (6). Vote on the motion carried unanimously.

NON-COMPLIANCE:

1. CE 15-1091 – 1110 Mitchell Street

Code Enforcement Officer Russell Zervos provided an overview of the Case history and presented exhibits for the Board's review. Mr. Zervos testified that the Respondent is in violation of Section 6-900(b)(1), Junk & Debris; and Section 105.1, Required Permits, of the Florida Building Code (FBC); as adopted by Section 6-101 of the City of Cocoa Code.

Mr. Zervos stated that the Case was heard on February 18, 2016 and the Respondent was given until March 3, 2016 to correct the violation or impose a fine in the amount of fifty dollars (\$50.00) per day until found in compliance; in the event of a re-occurrence one hundred dollars (\$100.00) per day.

Mr. Zervos respectfully requested that the Board find the Respondent in non-compliance and impose a fine in the amount of fifty dollars (\$50.00) per day until found in compliance; in the event of a re-occurrence one hundred dollars (\$100.00) per day.

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

2. CE 15-1125 – 220 Smith Ln.

Code Enforcement Officer Russell Zervos provided an overview of the Case history and presented exhibits for the Board's review. Officer Zervos testified that the Respondent is in violation of Section 6-900(b)(1), Junk & Debris; Section 6-1003(b), Protective Treatment; and Section 6-1003(m), Windows, of the City of Cocoa Code.

Mr. Zervos stated that the Case was heard on February 18, 2016 and the Respondent was given until March 10, 2016 to correct the violation or impose a fine in the amount of fifty dollars (\$50.00) per day until found in compliance; in the event of a re-occurrence one hundred dollars (\$100.00) per day.

Mr. Zervos respectfully requested that the Board find the Respondent in non-compliance and impose a fine in the amount of fifty dollars (\$50.00) per day until found in compliance; in the event of a re-occurrence one hundred dollars (\$100.00) per day.

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

LEIN REDUCTION:

1. CE 11-211 & CE 15-442 – 1201 Tulip Ln.

Code Enforcement Supervisor Chris Counsellor presented the Staff report for the lien reduction request. Mr. Counsellor stated the Code Enforcement Board found the property owner, Michael J. Arab, in violation of Section 6-1003(b), Protective Treatment.

The lien ran at one hundred dollars (\$100.00) per day from July 17, 2011 until compliance was achieved on August 1, 2015. The total amount of the lien is \$147,600.00 and the current owner, Imran Qureshi, requested that the lien be forgiven, due to the fact that he was not aware of the liens at the time of purchase.

Staff recommends the lien be reduced to five hundred dollars (\$500.00).

In the case of 15-442, the property owner, Michael J. Arab, was found in violation of Section 6-900(b)(5), Boarded Up Buildings; Section 6-1003(b), Protective Treatment; and Section 6-1003(g), Roofs & Drainage, of the City of Cocoa Code.

The lien ran at two hundred and fifty dollars (\$250.00) per day from July 15, 2015 until compliance was achieved on November 30, 2015. The total amount of the lien is \$34,500.00 and the current owner, Imran Qureshi, requested that the lien be forgiven.

Staff recommends the lien be reduced to five hundred dollars (\$500.00).

Imran Qureshi, property owner, stated that he purchased the property on January 27, 2016 and it was in poor condition. He explained that he cleaned up the property to comply with the violations; therefore, he is requesting that the lien be forgiven.

Motion by Mr. Brown, seconded by Mr. Cicerrella, to accept Staff's recommendation and reduce each lien to five hundred dollars (\$500.00) for a total of one thousand dollars (\$1,000.00). Vote on the motion carried six to one (6-1).

2. CE 14-511 – 1402 College Ave.

This case was tabled.

OTHER:

1. Demolition Appeal – 227 Lemon St.

The property owner, Lerech Malave, was not present for the appeal. Therefore, the appeal was denied.

Motion by Mr. Cicerrella, seconded by Mr. Lightholder, to deny the appeal. Vote on the motion carried unanimously.

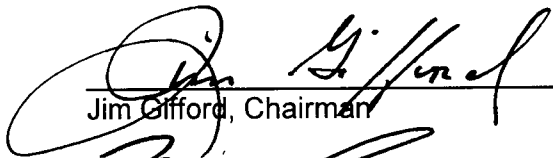
NEXT MEETING:

The Board members established that the next meeting would be held on April 21, 2016.

ADJOURNMENT:

There being no further business the meeting adjourned at 6:42 P.M.

Approved on this 21 day of April, 2016.



Jim Clifford, Chairman



Monica Arsenault, Board Secretary