

**Code Enforcement Board
Meeting Minutes
February 21, 2019**

A meeting of the Code Enforcement Board of the City of Cocoa was held on Thursday, February 21, 2019 in the Council Chambers at 65 Stone Street, Cocoa, as publicly noticed.

OPENING MATTERS:

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

MEMBERS PRESENT:

Jim Gifford	Chairman
George Brown, Jr.	Vice-Chairman
Virginia Weaver	Board Member
Stephanie Moretto	Board Member
Edward Green	Board Member
Michael Cicerrella	Board Member
Michael Klug	2 nd Alternate

MEMBERS ABSENT:

David Lightholder	Board Member
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OTHERS PRESENT:

Dennis Bunt	Code Enforcement Manager
Mike Cantaloupe	Police Chief
Steve Murdick	Code Enforcement Officer
Julian Briggs	Code Enforcement Officer
Jennifer Nix	Board Attorney
Nick Gerry	Fire Inspector
Darla Crowl	Recording Secretary
Don Boisvert	Councilman/Liaison

The Board Secretary swore in all Staff members giving testimony.

APPROVAL OF AGENDA AND MINUTES:

1. Approval of Agenda: February 21, 2019

Chairperson Gifford noted changes to the agenda (Items complied, tabled, or withdrawn)

Motion by Mr. Cicerrella, seconded by Ms. Weaver, to approve the agenda of February 21, 2019. Vote on the motion carried unanimously.

2. Approval of Meeting Minutes: January 30, 2019.

Motion by Mr. Cicerrella, seconded by Ms. Weaver, to approve the minutes of January 30, 2019. Vote on the motion carried unanimously.

CASES:

1. CE-18-032 – 712 N Fiske 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 was in violation of *XXXIII. Storing Outdoors, Ch 6 Sec. 6-900 (b)(11) and I. Accessory Structures Ch 6 Sec. 6-1001 (g)* of the City Code.

Officer Murdick requested that the Board find the Property Owner in violation and be given until March 23, 2019 (30 days) to come into compliance or impose a fine of fifty dollars (\$50.00) per day until found in compliance.

Property owner was sworn in: Frances Stanton, 712 N Fiske Blvd, Cocoa, FL

Discussion amongst Board members and staff. Mr. Gifford had questions about the items on the porch and the vehicle in the yard. Officer Murdick explained the vehicle was parked on a paved surface. Property owner stated that she did not understand the violations. After Officer Murdick explained the violations and how to correct. The property owner stated she would work on correcting the violations with the time given.

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.

2. CE-18-043- 410 N Fiske 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 was in violation of *XXVII. Protective Treatment, Ch 6 Sec. 6-1003 (b), I. Accessory Structures Ch 6 Sec. 6-1001 (g), XX. Parking in Yard Ch 6 Sec. 6-900 (b)(9) and XXII. Permit Required App A Art. XV Sec 2 (a)* of the City Code.

Officer Murdick requested that the Board find the Property Owner in violation and be given until March 23, 2019 (30 days) to come into compliance or impose a fine of one hundred dollars (\$100.00) per day until found in compliance.

Property owner was not present.

Discussion amongst Board members and staff.

Motion by Mr. Cicerrella, seconded by Mr. Klug, to approve Staff's recommendation and find the Property Owner in violation. Vote on the motion carried unanimously.

3. CE-18-095 – 515 S Wilson 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 was in violation of *II.Accum. Of Trash and Litter Ch 6 Sec. 6-900 (b)(1)a-d, XXIX.Roofs & Drainage, Ch 6 Sec. 6-1003 (g), XXXVI.Weeds, Ch 6 Sec. 6-1001(d) and XXVII.Protective Treatment, Ch 6 Sec. 6-1003 (b)* of the City Code.

Officer Murdick requested that the Board find the Property Owner in violation and be given until March 23, 2019 (30 days) to come into compliance or impose a fine of one hundred dollars (\$100.00) per day until found in compliance.

Property owner was not present.

Discussion amongst the Board members and staff. Manager Bunt explained that he spoke with the property owner about the violations and length of time that was given to come into compliance. The property owner stated the length of time given should be sufficient.

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.

4. CE-18-183 – 315 Belmont Drive

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 was in violation of *IX.Exterior General Condition Ch 6 Sec. 6-1003 (a,), II.Accum. Of Trash and Litter Ch 6 Sec. 6-900 (b)(1)a-d, I.Accessory Structures Ch 6 Sec. 6-1001 (g) and XXXVI.Weeds, Ch 6 Sec. 6-1001(d)* of the City Code.

Officer Murdick requested that the Board find the Property Owner in violation and be given until March 23, 2019 (30 days) to come into compliance or impose a fine of one hundred dollars (\$100.00) per day until found in compliance.

Property owner was not present.

Discussion amongst the Board members and staff. Mr. Gifford had questions about the vehicles on the property. Manager Bunt explained that the vehicles were brought before the Code Board and came into compliance with current tags at a prior Code Board. The tags are currently out of date and will be sited at a different time. Manager Bunt also explained that the property owner lives in New York with his son and hasn't had any contact with the property owner in several months. Officer Murdick emailed the property owner to inform him that he was still in noncompliance. Property owner stated that he was informed by the persons taking care of the property that the violations have been corrected. Office Murdick explained the violations to the property owner and hasn't heard from him since.

Motion by Mr. Green, seconded by Ms. Moretto, to approve Staff's recommendation and find the Property Owner in violation. Vote on the motion carried unanimously.

5. CE-18-195 – 1320 Fiske 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 was in violation of *IX.Exterior General Condition Ch 6 Sec. 6-1003 (a,), and II. XXXIII.Storing Outdoors, Ch 6 Sec. 6-900 (b)(11)* of the City Code.

Officer Murdick requested that the Board find the Property Owner in violation and be given until March 23, 2019 (30 days) to come into compliance or impose a fine of fifty dollars (\$50.00) per day until found in compliance.

Property owner was not present.

Motion by Ms. Moretto, seconded by Mr. Cicerella, to approve Staff's recommendation and find the Property Owner in violation. Vote on the motion carried unanimously.

FIRE DEPARTMENT CODE CASE:

1. FD-2018-03 – 1068-1072 Clearlake Rd. (Family Dollar)

Fire Inspector Nick Gerry provided an overview of the Case history and presented exhibits for the Board's review. Fire Inspector Gerry testified that all of the violations were corrected except for the Fire Alarm Ch 6 Sec. 6-205 of the Florida Fire Prevention Code. FL NFPA 01 2015 Chapter 13 Fire Protection Systems, 13.3.1.8.2.1 – Excerpt. Comment: Where supervision of automatic sprinkler systems is required by another section of this Code, water-flow alarms shall be transmitted to an approved, proprietary alarm-receiving facility, a remote station, a central station, or the fire department.

ACTION REQUIRED: Automatic Fire Sprinkler System shall have a water-flow alarm transmitted to an approved alarm receiving facility. Alarm system to be installed by a qualified and certified person. Building permit required for fire alarm system.

Fire Inspector Nick Gerry requested that the Board find the Property Owner in violation and be given until March 15, 2019 to come into compliance or impose a fine of two hundred dollars (\$200.00) per day until found in compliance. All re-inspection fees were paid.

Property owner was not present.

Discussion amongst the Board members and staff. Fire Inspector Gerry stated he has spoken with the representative for the property Robert Chasin who is with Archangel Engineering to discuss how to fix the violations on the property. Fire Inspector Gerry stated that phone calls were made to the representative and no other contact has been made. Fire Inspector Gerry explained to the Code Board members that the fire sprinkler system was not connected to the supervised monitoring company.

Motion by Mr. Cicerrella, seconded by Mr. Klug, to approve Staff's recommendation and find the Property Owner in violation. Vote on the motion carried unanimously.

2. FD-2018-04 – 1030 Clearlake Rd.

Fire Inspector Nick Gerry provided an overview of the Case history and presented exhibits for the Board's review. Fire Inspector Gerry conducted the inspection and found several fire code violations, the remaining violation not corrected is the 527 ft. of fire lane not marked correctly with a sign every 60 feet apart located in front of the Harvey's Supermarket and storefronts. The violation was found not to be in compliance with City Code of Ordinance, Fire Protection and Prevention, Chapter 6 Sec. 6-205, adopted Florida Fire Prevention Code NFPA 1 Fire Code, Chapter 18, Sec. 18.2.3.5.3 Fire lanes shall be within sight of the traffic flow and be a maximum of 60 feet apart with such signs 12 in by 18 inches.

Fire Inspector Gerry has spoken to the property owner representative, Robert Chasin with Archangel Engineering at the beginning but have had no response from him lately or from the property owner on any action they plan to take.

Property owner was not present.

Fire Inspector Nick Gerry requested that the Board find the Property Owner in violation and be given until March 15, 2019 to come into compliance or impose a fine of two hundred dollars (\$200.00) per day until found in compliance. All re-inspection fees were paid.

Discussion amongst the Board members and staff.

Motion by Mr. Brown, seconded by Mr. Cicerrella, to amend Staff's recommendation and find the Property Owner in violation and impose the fine of one hundred dollars (\$100.00) per day. Mr. Cicerrella asked to increase the fine to two hundred fifty dollars (\$250.00) per day until found in compliance. Vote on the motion carried unanimously.

3. FD-2018-05 – 1072 Clearlake Rd. (Family Dollar)

Fire Inspector Nick Gerry provided an overview of the Case history and presented exhibits for the Board's review. The violation was found not to be in compliance with City Code of Ordinance, Fire Protection and Prevention, Chapter 6 Sec.6-205, adopted Florida Fire Prevention Code NFPA 25 Standard for Water Base Fire Protection Systems Chapter 4, Sec. 4.1.10.1 Sprinkler Impairments and NFPA 14 Standard for Installation of Standpipe and Hose Systems Ch. 6 Sec. 6.4.6 Fire Dept. Connection Height shall not be more than 48" in above ground.

Fire Inspector Gerry has spoken to the property owner representative, Robert Chasin with Archangel Engineering and discussed ways to correct the violation, but unable to recently communicate with him after leaving several messages. No contact has been made by the property owner.

Property owner was not present.

Fire Inspector Nick Gerry requested that the Board find the Property Owner in violation and be given until March 15, 2019 to come into compliance or impose a fine of two hundred dollars (\$200.00) per day until found in compliance. All re-inspection fees were paid.

Discussion amongst the Board members and staff.

Motion by Mr. Cicerrella, seconded by Ms. Weaver, to approve Staff's recommendation and find the Property Owner in violation. Vote on the motion carried unanimously.

4. FD-2018-06 – 1003 N Cocoa Blvd.

This case was removed.

NON-COMPLIANCE:

None

ABATEMENT APPEALS:

None

LIEN REDUCTION:

None

Manager Announcements:

None

DEMOLITION APPEALS:

None

OTHER BUSINESS:

None

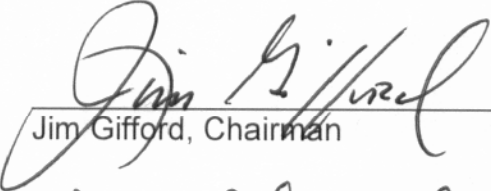
NEXT MEETING:

The Board members established that the next meeting would be held on March 21, 2019.

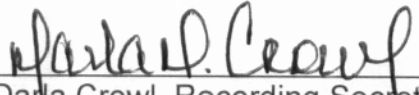
ADJOURNMENT:

There being no further business the meeting adjourned at 6:55 PM.

Approved on this 28 day of March, 2019.



Jim Gifford, Chairman



Darla Crowl, Recording Secretary

