



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

**February 20, 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 February 20, 2025.
2. Minutes: Regular Meeting of January 16, 2025.

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: 01/27/2025
Agenda Date: 2/20/2025
Prepared By: Darla Crawl, Code Enforcement Coordinator
Through: Thomas Wilkinson, Code Enforcement Manager
Requested Action: Approve the agenda of the February 20, 2025 Code Board Meeting as presented or with amendments.

BACKGROUND:

PRIORITY AREA CONNECTION:

Public Safety/Community Standards

BUDGETARY IMPACT:

No

PREVIOUS ACTION:

RECOMMENDED MOTION:

Approve the agenda of the February 20, 2025 Code Board Meeting as presented 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
February 20, 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: February 20, 2025
2. Approval of Minutes for January 16, 2025
3. Submittal of Document Packet
4. Board Vice Chair Election

CASES:

- | | | |
|-------------------------------------|------------------------|-------------------------------------|
| 1. CE- 24-311 | 638 BREVARD AVE | Officer Simpson |
| NOV Mailed: 03/29/24 | | NOH: 02/03/25-Certified Mail |
| Property Owner: FARM BAR INC | | |
| Parcel # 24-36-33-85-* -A | | |

Violations Cited:

1. Chapter 12 Local Business Taxes, Sec. 12-1 (a), (b) Business Tax Receipt Required.
2. Code Appendix A Zoning, Art. XI, Sec. 13 District and Intent – CBD, Central Business District, (C) (6) Special Exceptions, Bar or Lounge, with or without a package store.

In the matter Code Enforcement Board Case Number CE 24-311, staff recommend that the property owner found in violation and correct the violations by 03/18/2025 or a fine of \$250.00 per violation per day be imposed until property brought into compliance.

2. **CE- 24-860** **900 FRIDAY RD** **Officer Simpson**

NOV Mailed: 9/11/24

NOH: 02/05/25 – Certified Mail

Property Owner: COCOA LOFT LLC

Parcel # 24-35-26-00-253

Violations Cited:

- 1.** Accum. Of Trash and Litter, Sec. 6-900
(b) (1) (a-d)
- 2.** Exterior Structure (Window, Skylight and
Door Frames), Sec. 6-1003 (m) (1) (2)
- 3.** Permit Required, App. A Art. XV Sec. 2
(a)
- 4.** Site Plan Approval Required, App. A Art.
XIII Sec. 1 (B)

In the matter Code Enforcement Board Case Number CE- 24-860, staff recommend that the property owner found in violation and correct the violations by 03/18/2025 or a fine of \$250.00 per violation per day be imposed until property brought into compliance.

3. **CE- 24-336** **1106 ABINGTON ST** **Officer Brimm**

NOV Mailed: 4/4/2024

NOH:02/05/25–Certified Mail

Property Owner: HUNT, LAQUANNA

Parcel # 24-36-29-BV-*-175

Violations Cited:

- 1.** Roofs & Drainage, Ch 6 Sec. 6-1003 (g)
- 2.** Maint. of Fences App A Art XIII Sec.
5(g)1-6
- 3.** Exterior General Condition Ch 6 Sec. 6-
1003 (a-p)

In the matter Code Enforcement Board Case Number CE- 24-336, staff recommend that the property owner found in violation and correct the violations by 03/18/2025 or a fine of \$250.00 per violation per day be imposed until property brought into compliance.

NOV Mailed: 4/4/2024**NOH:**02/05/25–Certified Mail**Property Owner:** WESTBROOKS, AVIS**Parcel #** 24-36-29-75-F-6**Violations Cited:**

1. *Storing Junk or Autos, Ch 6 Sec. 6-902 (b)(1)(2)*
2. *Storing Outdoors, Ch 6 Sec. 6-900 (b)(11)*

In the matter Code Enforcement Board Case Number CE- 24-417, staff recommend that the property owner found in violation and correct the violations by 03/18/2025 or a fine of \$250.00 per violation per day be imposed until property brought into compliance.

NON-COMPLIANCE CASES:

None

Lien Reductions:

1. CE-19-01336 / 1043 Olive St.
2. CE-18-00283 / 1049 Olive St.
3. CE- 17-00582 / 312 Belmont Dr.
4. CE-09-00102 / 1112 Myrtle Lane
5. CE-22-00884 / 3645 Longbow Rd.
6. CE-16-00461 /1235 Holmes St.

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 **March 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 regarding 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 **February 20, 2025**, or by calling 321-433-8508.

CODE BOARD AGENDA ITEM

Memo Date: 01/27/2025
Agenda Date: 2/20/2025
Prepared By: Darla Crawl, Code Enforcement Coordinator
Through: Thomas Wilkinson, Code Enforcement Manager
Requested Action: Approve the minutes of the January 16, 2025 Code Board Meeting as presented or with amendments.

BACKGROUND:

PRIORITY AREA CONNECTION:

Public Safety/Community Standards

BUDGETARY IMPACT:

None

PREVIOUS ACTION:

RECOMMENDED MOTION:

Approve the minutes of the January 16, 2025 Code Board Meeting as presented or with amendments.

**Code Enforcement Board
Meeting Minutes
January 16, 2025**

A meeting of the Code Enforcement Board of the City of Cocoa was held on Thursday, January 16, 2025, 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
Josue Otero	Board Member
Dik Muller	Board Member
Michael Simpson	Board Member

MEMBERS ABSENT:

Gloria Weatherspoon	1st Alternate-excused
Sharri Scott	Board Member-excused
Melissa Acosta	Board Member-excused

OTHERS PRESENT:

Tom Wilkinson	Code Enforcement Manager
Micheal Mack	Code Enforcement Officer
Justin Simpson	Code Enforcement Officer
Jason Brimm	Code Enforcement Officer
Kristin Eick	Board Attorney
Darla Crowl	Recording Secretary
Evander Collier IV	Police Chief

The Board Secretary swore in all Staff members giving testimony.

NEW BUSINESS:

1. Election of Code Enforcement Board Chairman

Motion by Mr. Roberts to run for Chairman. Vote on the motion carried unanimously.

2. Election of Code Enforcement Vice Chairman

Vote for Vice Chair was voted on to be moved to the February 20, 2025 Code Board Meeting. Vote on the motion (3) Yay-Mr. Simpson, Mr. Roberts, Mr. Muller (2) Nay-Mr. Otero, Mr. Brown.

APPROVAL OF AGENDA AND MINUTES:

1. Approval of Agenda: January 16, 2025

Motion by Vice Chair. Brown, seconded by Mr. Otero, to approve to the agenda of January 16, 2025. Vote on the motion carried unanimously.

2. Approval of Meeting Minutes: November 21, 2024.

Vote on the motion carried unanimously. To approve the minutes of the November 21, 2024 meeting.

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

CASES:

1. CE-24-279 – 1112 Ohio Street

Tabled.

NON-COMPLIANCE:

2. 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 Sec. 6-1003 (a), **twenty-five dollars (\$25.00) Exterior Structure (Walls), Sec. 6-1003 (f) and twenty-five dollars (\$25.00) 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 **January 6, 2025**, and property owner remains in violation.

Attorney Eick explained to the Board Members when violations are in compliance prior to the Code Board they will not be fined. The only violations that can receive a fine would be the violations still in noncompliance. More discussion amongst the Board members and Attorney Eick asked Officer Mack to verify that no permits have been pulled. Officer Mack responded that she was correct that no permits have been pulled. More discussion amongst the Board members and staff.

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

3. CE-23-172 – 518 S Kentucky Ave

Tabled.

Lien Reductions:

1. CE-20-1252 – 1203 Alamanda Lane

The Code Enforcement Board held a public hearing on **February 18, 2021**, at which time the Board found the owner, **SAI PROPERTY INVESTMENT INC** in violation of the following:

XXII. Permit Required App A Art. XV Sec 2 (a)

XXVIII. Rental Business Tax, Ch 6 Sec. 6-2003

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 **June 18, 2021**.

The lien ran at **\$25.00** per day from **May 21st, 2021** until compliance was achieved on **May 23, 2024**. Code records show onsite inspections were conducted by **Officers Steven Murdick, Augusto Gonzalez and Myself**. The case was closed leaving a fine of **\$27,450.00**. The current owner, is requesting that the lien be reduced to **\$1000.00**.

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; **Two**
- Number of Inspections performed: **11**
- 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, January 16, 2025 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 **\$147,350** according the Brevard County Property Appraiser as a **Single-Family Residence**.

Staff submits their cost sheet and the in the total amount of **\$1,685.16**

Staff's recommendation is that the fine/lien be reduced to **\$1,685.16** 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.

Chairman Roberts asked Manager Wilkinson the date the case started to when it came into compliance to stop the lien. The case started in October of 2020, found in violation in May of 2021. The fines accumulated for 3 years with 2 violations. Attorney Spira stated he was there to answer any questions about the property. Chairman Roberts wanted to know why the property owner did not try and take care of the violations sooner. Attorney Spira stated that the property

owner had problems finding contactors during Covid19 to do the work and finish the work. More discussion amongst the Board members, property attorney and staff.

Property attorney representative: Steve Spira, Spira Law Group.

Motion by Vice Chair Brown, seconded by Mr. Otero to approve staff's recommendation to City Council the lien reduction be in the amount of one thousand six hundred eighty-five dollars and sixteen cents (\$1,685.16) Vote on the motion 2 Yay (Mr. Otero and Mr. Brown) 3 Nay (Mr. Roberts, Mr. Simpson and Mr. Muller) motion denied.

Motion by Chairman Roberts, seconded by Vice Chair Brown, to amend staff's recommendation to City Council the lien reduction be in the amount of fourteen thousand dollars (\$14,000.00). Vote on the motion carried 4-1- Nay (Mr. Brown) motion past.

2. CE-09-0102 – 1112 Myrtle Lane

Tabled.

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:

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

Approved on this _____ day of _____, 2025.

Lloyd Roberts, Chairman

Darla Crowl, Recording Secretary