



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

**June 19, 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. Swearing in of Code Officers

III. Approval of Agenda and Minutes:

1. Agenda: Regular Meeting of June 19, 2025.
2. Minutes: Regular Meeting of May 15, 2025.
3. Submittal of Document Packet

IV. Cases:

1. CE24-790 / Christina Cobb property owner of 2526 Stanford Drive, Cocoa, FL, in violation of the following City Codes:
 - Ch. 6, Art. III, Div. 3, Sec. 6-900 (b)(11) Junk, Trash, Debris,
 - Ch. 6, Art. III, Div. 4, Sec. 6-1001 (d) Weeds Overgrowth
2. CE25-82 / Stone Funeral Home / Richard Stone & Daisy Stone, property owner of 516 W. King St., Cocoa, FL, in violation of City Code,
 - Ch. 12 Sec. 12-1 (a)(b) Business Tax Receipt.

V. Non-Compliance:

1. CE25-37 / Mark Yates
The Code Enforcement Board held a public hearing on May 15, 2025, at which

time the Board found the owner (Mark Yates) of 1112 Ohio St. Cocoa, FL. in violation. The Code Enforcement Board provided the owner (Mark Yates) sufficient time of June 18, 2025, to correct the following violation(s).

- Ch. 6, Art. III, Div. 3, Sec. 6-900 (b)(11) Junk, Trash, Debris
- Ch. 6, Art. III, Div. 3, Sec. 6-902 (b)(2) Abandoned Vehicles

2. CE-24-13 / Burton Baum

The Code Enforcement Board held a public hearing on March 20, 2025, at which time the Board found the owner (Burton Baum) in violation. The Code Enforcement Board provided the owners of 1304 S. Lakemont Dr. Cocoa FL. sufficient time of April 16, 2025, to correct the following violation(s).

- Chapter 6 Buildings, Construction, Sec.6-902, Discarding Junk, inoperable or Abandoned Vehicles (b)(1).
- Chapter 6 Buildings, Construction, Sec. 6-900 Generally Nuisances(B1).

VI. Lien Reductions:

1. The applicant (Patricia Ahneman) is requesting a reduction of the Code Enforcement lien of \$149,945.00 at the property located at 1001 N. Indian River Dr. be reduced to the amount of zero.
2. The applicant, Fair Price Properties LLC. (William Diamantas), is requesting a reduction of the current Code Enforcement lien of \$39,620.00 at the property of 309 N Georgia Ave. be reduced to the amount of \$1000.00.
3. The applicant, Floor Suppliers Inc. (Shiua Roopnarine), is requesting a reduction of the current Code Enforcement Lien of \$60,520.00 at the property of 1050 W. King Street, be reduced to the amount of \$10,000.
4. The applicant, Allen Condominium, (Lissette Mendoza), is requesting a reduction of the current Code Enforcement lien of \$304,000.00 at the property located at 1723 Dixon Blvd. be reduced to City's cost.
5. The applicant (Tim Levensaler) is requesting a reduction of the current Code Enforcement lien of \$24,010.00 at the property located at 213 Factory St., be reduced to the amount of the City's cost.
6. The applicant, Deborah Raskett, is requesting a reduction of the Code Enforcement lien of \$5,400.00 at the property located at 49 Parkway St. be reduced to the amount of zero.

VII. New Business:

VIII. Other Business:

IX. Abatement Appeals:

X. Manager Announcements:

XI. Next Meeting Date: The next regular meeting of the Code Enforcement Board will be held on August 21, 2025 .

XII. 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: 05/15/2025
Agenda Date: 6/19/2025
Prepared By: Darla Crawl, Code Enforcement Coordinator
Through: Thomas Wilkinson, Code Enforcement Manager
Requested Action: Approve the agenda of the June 19, 2025, Code Board Meeting as presented or with amendments.

BACKGROUND:

PRIORITY AREA CONNECTION:

Public Safety/Community Standards

BUDGETARY IMPACT:

PREVIOUS ACTION:

RECOMMENDED MOTION:

Approve the agenda of the June 19, 2025, Code Board Meeting as presented or with amendments.



Agenda

CODE ENFORCEMENT BOARD

REGULAR MEETING

June 19, 2025

6:00 PM

Opening Matters

1. Call to order
2. Invocation
3. Pledge of Allegiance
4. Roll Call
5. Swearing in Officers

Approval of Agenda & Minutes

1. Approval of Meeting Agenda: June 19, 2025
2. Approval of Minutes for May 15, 2025
3. Submittal of Document Packet

CASES

1. CE-24-790 – 2526 Stanford Dr
2. CE-25-82 – 516 W King St

NON-COMPLIANCE

1. CE-25-37 – 1112 Ohio St
2. CE-24-13 – 1304 S Lakemont Dr

LIEN REDUCTIONS:

1. CE-18-651 – 1001 N Indian River Dr
2. CE-23-64 – 309 N Georgia Ave
3. CE-22-828 – 1050 W King St
4. CE-17-29 – 1723 Dixon Blvd
5. CE-22-475 – 213 Factory St
6. CE-22-695 – 49 Parkway St

NEW BUSINESS

None

Other Business:

None

Abatement Appeals:

None

Manager Announcements

None

Next Meeting Date

August 21, 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 with regard to 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 June 19, 2025, or by calling (321)-433-8508

CODE BOARD AGENDA ITEM

Memo Date: 05/15/2025
Agenda Date: 6/19/2025
Prepared By: Darla Crawl, Code Enforcement Coordinator
Through: Thomas Wilkinson, Code Enforcement Manager
Requested Action: Request Approval of the Minutes of the Code Enforcement Regular Meeting held on May 15, 2025, either as written or with amendments.

BACKGROUND:

PRIORITY AREA CONNECTION:

Public Safety/Community Standards

BUDGETARY IMPACT:

Budgeted? No

If not budgeted, is amendment / transfer attached?

Source/Use of Funds

Account Number

Amount

If a P.O. Change Order is involved, please complete the following:

Change Order Amount: \$

Original Purchase Order Amount: \$

For this Agenda Item note Prior Change Order Information:

Total Number of change orders to date:

Total amount in change orders to date: \$

PREVIOUS ACTION:

RECOMMENDED MOTION:

Request Approval of the Minutes of the Code Enforcement Regular Meeting held on May 15, 2025, either as written or with amendments.

**Code Enforcement Board
Meeting Minutes
May 15, 2025**

A meeting of the Code Enforcement Board of the City of Cocoa was held on Thursday, May 15, 2025, in the Council Chambers at 65 Stone Street, Cocoa, as publicly noticed.

OPENING MATTERS:

Chairman Roberts called the meeting to order at 6:05 P.M. The Board Secretary called the roll.

MEMBERS PRESENT:

Lloyd Roberts	Chairman
Josue Otero	Vice Chairman
Sharri Scott	Board Member
Melissa Acosta	Board Member
Dik Muller	Board Member
Jody Hatcher	2 nd Alternate

MEMBERS ABSENT:

George Brown Jr.	Board Member - excused
Gloria Weatherspoon	1st Alternate - excused
Michael Simpson	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
Mark Baaden	Lieutenant
Charlene Neuterman	Community Services Director
Ms. Weeks	City Councilwoman – Liaison

The Board Secretary swore in all Staff members giving testimony.

APPROVAL OF AGENDA AND MINUTES:

1. Approval of Agenda: May 15, 2025

Chairman Roberts noted changes to the agenda (Items complied, tabled and withdrawn)

Motion by Vice Chair Otero, seconded by Ms. Acosta, to approve to the agenda of May 15, 2025. Vote on the motion carried unanimously.

2. Approval of Meeting Minutes: March 20, 2025.

Motion by Mr. Muller, seconded by Vice Chair Otero, to approve to the minutes of March 20, 2025. Vote on the motion carried unanimously.

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

CASES:

1. CE-25-37 – 1112 Ohio Street

Code Enforcement Officer Justin Simpson provided an overview of the Case history and presented exhibits for the Board's review. Officer Simpson testified that the Property Owner was in violation of **City of Cocoa Code Ch. 6, Art. 111, Div. 3, Sec. 6-900 (b)(11) Junk, Trash, Debris and City of Cocoa Code Ch. 6, Art. 111, Div. 3, Sec. 6-902 (b)(2) Abandoned Vehicles** of the City Code.

Officer Simpson requested that the Board find the Property Owner in violation and be given until June 18, 2025 (30 days) to come into compliance or impose a fine of **two hundred fifty dollars (\$250.00) City of Cocoa Code Ch. 6, Art. 111, Div. 3, Sec. 6-900 (b)(11) Junk, Trash, Debris and two hundred fifty dollars (\$250.00) City of Cocoa Code Ch. 6, Art. 111, Div. 3, Sec. 6-902 (b)(2) Abandoned Vehicles** per day until found in compliance.

Property owner was sworn in: Mark A. Yates, 1112 Ohio St, Cocoa

Attorney Eick asked if the previous case that came before the Code Board had been closed. Officer Simpson started yes; a new case had been started once the property owner stopped communication in January. He told Mr. Yates if he kept in contact he would work with him. There was a fire at the property and the State Fire Marshal asked Code Enforcement to come out to the property and do a site visit. This is when Code Enforcement was able to walk the entire property and get pictures. Attorney Eick reminded the Code Board members that this was a new case. Mr. Yates gave an overview of his property and why it is still not in compliance. Chairman Roberts asked several questions about why he did not stay in contact with the Code Officer and what his plan going forward was for the property? More discussion amongst the Board members and staff.

Motion by Ms. Scott, seconded by Vice Chair Otero, to approve Staff's recommendation and give the property owner until June 18, 2025, and find the Property Owner in violation. Vote on the motion carried unanimously.

NON-COMPLIANCE:

1. CE-24-860 – 900 Friday Road

Code Enforcement Officer Justin Simpson provided an overview of the Case history and presented exhibits for the Board's review. Officer Simpson testified that the Property Owner is in violation of **App. A, Article. XV, Sec. 2 (a) Permit Required** of the City of Cocoa Code. Officer Simpson stated a Notice of Hearing was sent on **May 1, 2025, sent certified and posted on the property** and property owner remains in violation.

Benjamin Weismann: attorney for the property owner.

The property owner's attorney spoke about permits that were applied for. Attorney Weismann asked for more time to complete the work rather than the date of March 20, 2025, that was given at the last meeting. Chairman Roberts explained to the attorney that there was no more time to be given as this was a non-compliance hearing. Attorney Weismann said the property owner was not given proper notice of the start date of the fine. Attorney Eick responded that a notice was sent with the information of the violation and the fine start date if not brought into compliance. Discussion amongst the Board members and staff.

Motion by Vice Chair Otero seconded by Mr. Muller, to approve Staff's recommendation and find the Owner in Non-Compliance. Vote on the motion carried unanimously.

LIEN REDUCTIONS

1. CE-19-00193 – 1501 Harvard Dr.

The Code Enforcement Board held a public hearing on **January 16, 2020**, at which time the Board found the owner, **Karen Scott**, in violation of the following:

- City Code, Chapter 6, Sec 6-1003 (b) Protective Treatment.

The Code Enforcement Board provided the owners sufficient time of **February 16, 2020**, to correct said violation. Therefore, consistent with the Code Enforcement Board's Order a Non-Compliance Hearing was held on **August 20, 2020**.

The lien ran at **\$25.00** per day from **February 16, 2020** until compliance was achieved on **August 21, 2020**. Code records show the case was closed, leaving a fine of **\$4,675.00**. The property owner (**Karen Scott**) is requesting that the lien be reduced to the amount of **zero**.

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; **Yes**
- Applicant resides at the property: **Yes**
- The number of violations related to the subject lien; **One**
- Number of Inspections performed: **10**
- 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, May 15, 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 **\$171,900** according to the Brevard County Property Appraiser as a **Single-Family Residence**.

The staff's recommendation is that the fine / lien be reduced to **\$1,627.66** 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.

Property owner was sworn in: Karen Scott, 1501 Harvard Dr, Cocoa

Ms. Scott said the only thing that was told to her is that there was a spot on her house that was dirty. Chairman Roberts asked if she was aware of what the violations were. Chairman Roberts asked Manager Wilkinson what the violation was for. Manager Wilkinson said the violation was for protective treatment. Ms. Scott had questions about the date of the non-compliance hearing and the compliance date. Discussion amongst the Board members, property owner and staff.

Motion by Ms. Scott, seconded by Chairman Roberts, to approve staff's recommendation to City Council the lien reduction be in the amount of one thousand six hundred twenty-seven dollars and sixty-six cents **(\$1,627.66)**. Vote: Yay (4) Nay (2) (Vice Chair Otero, Ms. Acosta) Motion Passed

2. CE-23-0156 – 1106 Mitchell St.

The Code Enforcement Board held a public hearing on **January 18, 2024**, at which time the Board found the owner, **One Stop Construction**, in violation of the following:

- City Code, Chapter 6, Sec 6-1003 (g) Roofs and Drainage.

The Code Enforcement Board provided the owners sufficient time of **March 3rd, 2024**, to correct said violation. Therefore, consistent with the Code Enforcement Board's Order a Non-Compliance Hearing was held on **March 21, 2024**.

The lien ran at **\$50.00** per day from **March 3, 2024** until compliance was achieved on **November 14, 2024**. Code records show the case was closed leaving a fine of **\$12,820.00**. The property owner **One Stop Construction (Jesus Velazquez)** is requesting that the lien be reduced to the amount of **City's Cost**.

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; **Yes**
- Applicant resides at the property: **No**
- The number of violations related to the subject lien; **One**
- Number of Inspections performed: **20**
- 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, May 15, 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 **\$121,130** according to the Brevard County Property Appraiser as a **Single-Family Residence**.

The staff's recommendation is that the fine / lien be reduced to **\$2,384.14** 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.

Property owner was sworn in: Jesus D Velazquez, 4214 SW 2 Terrace, Miami, FL 33134

Mr. Velazquez stated he took care of all the violations except for the roof. Mr. Velazquez stated he is a general contractor. He worked on getting a roofing permit. There are no longer any violations on the property of Mr. Velazquez. Chairman Roberts asked Mr. Velazquez where the disconnect was. More discussion amongst the Board members, property owner and staff.

Motion by Ms. Acosta, seconded by Mr. Muller, to approve staff's recommendation to City Council the lien reduction be in the amount of two thousand three hundred eighty-four dollars and fourteen cents **(\$2,384.14)**. Vote: Yay (4) Nay (2) (Chairman Roberts, Ms. Scott) Motion Passed

3. CE-22-0583 – 128 Aurora St.

The Code Enforcement Board held a public hearing on **July 20, 2023**, at which time the Board found the owner, **Stoa Acquisitions LLC**, in violation of the following:

- XXII, Permit Required App (A) Article XV sec 2(a)

The Code Enforcement Board provided the owners sufficient time of **August 19, 2023**, to correct said violation. Therefore, consistent with the Code Enforcement Board's Order a Non-Compliance Hearing was held on **September 21, 2023**.

The lien ran at **\$25.00** per day from **August 19, 2023** until compliance was achieved on **February 21, 2025**. Code records show the case was closed leaving a fine of **\$13,820.00**. The New property owner (**Faraway SG LLC**) is requesting that the lien be reduced to the amount of **\$4,685.00**.

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; **One**
- Number of Inspections performed: **25**
- 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, May 15, 2025, and was in-compliance before the Code Board Hearing. An inspection will also occur prior to the Council Meeting.**
- The cost of staff to prosecute this case is **\$2,384.14**

The current market value of the subject property; the current market value is **\$381,390** according to the Brevard County Property Appraiser as a **Single-Family Residence**.

Staff's recommendation is that the fine / lien be reduced per the applicants' request to the amount of **\$4,685.00**, which will cover 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 if anyone was present for the hearing. Manager Wilkinson stated the property owner was notified of the hearing. Discussion amongst the Board members and staff.

Motion by Vice Chair Otero, seconded by Chairman Roberts, to amend staff's recommendation to City Council the lien reduction be in the amount of thirteen thousand eight hundred twenty dollars **(\$13,820.00)**. Vote: Yay (6) Motion Passed

4. CE-23-0649 – 535 S Kentucky Ave.

The Code Enforcement Board held a public hearing on **January 18, 2024**, at which time the Board found the owner, **535 S Kentucky Land Trust**, in violation of the following:

- City Code, Chapter 6, Sec 6-900(b)(1) Accumulation of trash and litter
- City Code, Chapter 6, Sec 6-900(b)(11) XXII, Storing Outdoors
- App. A, Article. XV, Sec. 2 (a) Permit Required
- City Code, Chapter 6, Sec 6-1003 (a-p) IX. Exterior General Condition

The Code Enforcement Board provided the owners sufficient time of **February 17, 2024**, to correct said violation. Therefore, consistent with the Code Enforcement Board's Order a Non-Compliance Hearing was held on **March 21, 2024**.

The lien ran at **\$25.00** per day from **February 17, 2024** until compliance was achieved on **December 6, 2024**. Code records show the case was closed leaving a fine of **\$ 29,330.00**. The property owner (**535 S Kentucky Land Trust**) is requesting that the lien be reduced to the amount of **City cost**.

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; **Yes**
- Applicant resides at the property: **No**
- The number of violations related to the subject lien; **Four**
- Number of Inspections performed: **12**
- 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, May 15, 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 **\$75,840.00** according to the Brevard County Property Appraiser as a **Single-Family Residence**.

The staff's recommendation is that the fine / lien be reduced to **\$1,893.30**, 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.

Ms. Acosta read off the application as to why they applied for the reduction. The property owner was made aware of the lien and never brought it into compliance when the applicants reclaimed the property. No one for the property was present. More discussion amongst the Board members and staff.

Motion by Ms. Acosta, seconded by Chairman Roberts, to amend staff's recommendation to City Council the lien reduction be in the amount of twenty-nine thousand three hundred thirty dollars **(\$29,330.00)**.
Vote: Yay (5) Nay (1) (Vice Chair Otero) Motion Passed

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 June 19, 2025.

ADJOURNMENT:

There being no further business the meeting adjourned at 7:03 PM.

Approved on this _____ day of _____, 2025.

Lloyd Roberts, Chairman

Darla Crawl, Recording Secretary

CODE BOARD AGENDA ITEM

Memo Date: 05/29/2025
Agenda Date: 6/19/2025
Prepared By: Darla Crowl, Code Enforcement Coordinator
Through: Thomas Wilkinson, Code Enforcement Manager
Charlene Neuterman, Community Services Director
Requested Action: Find the property owner, Christina Cobb of 2526 Stanford Drive, Cocoa, FL, in violation of the following City Codes listed and assess a daily fine of \$250/day per violation be imposed immediately until the property is brought into compliance.

- Ch. 6, Art. III, Div. 3, Sec. 6-900 (b)(11) Junk, Trash, Debris
- Ch. 6, Art. III, Div. 4, Sec. 6-1001 (d) Weeds Overgrowth

BACKGROUND:

- August 27, 2024, Ms. Cobb's property was observed to have multiple violations, and an NOV was sent out.
- January 31, 2025, Ms. Cobb's property was reinspected and found to still be in violation. No contact from the property owner.
- April 25, 2025, Ms. Cobb's property had a citizen complaint called in and a re-inspection was conducted. Property was found still in violation and the citizen was notified the case was ongoing.
- May 29, 2025, Ms. Cobb's property was reinspected and found to still be in violation. No contact from the property owner.

The property is still in violation of the following city codes.

- Ch. 6, Art. III, Div. 3, Sec. 6-900 (b)(11) Junk, Trash, Debris
- Ch. 6, Art. III, Div. 4, Sec. 6-1001 (d) Weeds Overgrowth

PRIORITY AREA CONNECTION:

Public Safety/Community Standards

BUDGETARY IMPACT:

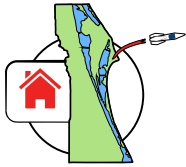
PREVIOUS ACTION:

Staff contacted the property owner and issued a Notice of Violation with corrective action on violations.

RECOMMENDED MOTION:

Find the property owner, Christina Cobb of 2526 Stanford Drive, Cocoa, FL, in violation of the following City Codes listed and assess a daily fine of \$250/day per violation be imposed immediately until the property is brought into compliance.

- Ch. 6, Art. III, Div. 3, Sec. 6-900 (b)(11) Junk, Trash, Debris
- Ch. 6, Art. III, Div. 4, Sec. 6-1001 (d) Weeds Overgrowth

**REAL PROPERTY DETAILS**

Account 2414122 - Roll Year 2024

Owners	COBB, CHRISTINA RENE A
Mailing Address	2526 STANFORD DR COCOA FL 32926
Site Address	2526 STANFORD DR COCOA FL 32926
Parcel ID	24-36-18-IQ-2-7
Taxing District	23D0 - COCOA
Exemptions	NONE
Property Use	0110 - SINGLE FAMILY RESIDENCE
Total Acres	0.19
Site Code	0001 - NO OTHER CODE APPL.
Plat Book/Page	0019/0066
Subdivision	COLLEGE GREEN ESTATES UNIT 1
Land Description	COLLEGE GREEN ESTATES UNIT 1 LOT 7 BLK 2

**VALUE SUMMARY**

Category	2024	2023	2022
Market Value	\$228,410	\$208,640	\$184,390
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$223,100	\$202,820	\$184,390
Assessed Value School	\$228,410	\$208,640	\$184,390
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$223,100	\$202,820	\$184,390
Taxable Value School	\$228,410	\$208,640	\$184,390

SALES / TRANSFERS

Date	Price	Type	Instrument
04/21/2021	\$236,500	WD	9101/1661
07/14/2020	\$70,000	WD	8801/2770
02/17/2015	--	QC	7304/2401
06/01/1972	\$15,900	--	1255/0240

BUILDINGS**PROPERTY DATA CARD #1****Building Use:** 0110 - SINGLE FAMILY RESIDENCE

Materials		Details	
Exterior Wall:	STUCCO , PAINTED EXTERIOR	Year Built	1965
Frame:	MASNRYCONC	Story Height	8
Roof:	ASPH/ASB SHNGL	Floors	1
Roof Structure:	HIP/GABLE	Residential Units	1
		Commercial Units	0
Sub-Areas		Extra Features	
Base Area (1st)	1,642	Patio - Concrete	150
Carport	275	Screen Enclosure	264
Open Porch	90		
Total Base Area	1,642		
Total Sub Area	2,007		



Cocoa Police Department
Code Enforcement Division
1226 W. KING ST
COCOA, FL 32922

DATE: 8/27/2024
CASE: 24-790

To: COBB, CHRISTINA RENE
2526 STANFORD DR
COCOA, FL 32926

Notice of Violation

Address of Violation: 2526 STANFORD DR COCOA FL 32926
Parcel Control No.: 24-36-18-IQ-2-7
Legal Description: COLLEGE GREEN ESTATES UNIT 1 LOT 7 BLK 2

PURSUANT to Section 162.06, *Florida Statutes*, and Chapter 6, of the City of Cocoa Code of Ordinances, the undersigned Code Enforcement Officer hereby gives notice of violation(s) of the City Of Cocoa Code of Ordinances, as more specifically described below. Respondent(s) is/are hereby Notified that corrective action(s) to cure the Violation(s) must be taken. The following must be corrected within **30 days**.

City of Cocoa Code Violation(s):

1. Accum. Of Trash and Litter, Sec. 6-900 (b) (1) (a-d)
2. Storing Junk, Scrap Metal, Scrap Lumber, Wastepaper Products or Discarded Materials, Sec. 6-900 (b) (11)
3. Exterior Property Areas (Weeds/Overgrowth), Sec. 6-1001 (d)



Corrective Action:

1. Please remove all junk, trash and debris from the property. All outside storage must be in a fully enclosed building
2. Please cease the improper storage of junk, scrap metal, lumber, discarded building materials, and/or any unused abandoned motor vehicle or abandoned parts, or other waste materials. All outdoor storage must be in a fully enclosed building.
3. Please remove and maintain all overgrowth in excess of 12" from the property.

In the event that the violation is/are not corrected within the time, set forth above a Notice to Appear will be sent scheduling this matter to the City of Cocoa Code Enforcement Board For further action. The Code Enforcement Board may enter an order requiring the Respondent(s) to correct the violation(s) and penalties may be assessed up to **\$250 per day** for first time violations described in this notice until the violation(s) has/have been corrected. If the violation(s) is/are corrected within the time required, the Respondent(s) must immediately notify the Code Enforcement Officer and request an inspection. If the respondent requires additional time, it is the respondent's duty to notify the code enforcement officer to determine reasonable time.

If you have any questions regarding this Notice of Violation or the recommendations contained herein, do not hesitate to contact the below signed Code Enforcement Officer.

Michael Folger

Michael Folger
Code Enforcement Officer
M: 321-474-0809
Office Hours Mon-Thurs 7AM-6PM
 mfolger@cocoapolice.com

Prepared by and Return To:

Angelique Davis
Fidelity National Title of Florida, Inc.
2310 E. Robinson Street
Orlando, FL 32803

Order No.: 20-21-0416

For Documentary Stamp Tax purposes the
consideration is \$236,500.00

APN/Parcel ID(s): 24-36-18-IQ-2-7

WARRANTY DEED

THIS WARRANTY DEED made and executed April 22, 2021, by Rocket Acquisitions, LLC, a Florida limited liability company, and having its principal place of business at 3703 S Atlantic Ave, Suite 904, Daytona Beach, FL 32118, hereinafter called the grantor, to Christina Renea Cobb, a married woman whose post office address is 2526 Stanford Dr, Cocoa, FL 32926, hereinafter called the grantee:

(Wherever used herein the terms "grantor" and "grantee" include all the parties to the instrument and the heirs, legal representative and assigns of individuals, and the successors and assigns of corporations)

WITNESSETH: That the grantor, for and in consideration of the sum of Ten And No/100 Dollars (\$10.00) and other valuable consideration, receipt whereof is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto the grantee, all that certain land situated in the County of Brevard, State of Florida, to wit:

Lot 7, Block 2, College Green Estates Unit One, according to the map or plat thereof, as recorded in Plat Book 19, Page(s) 66, of the Public Records of Brevard County, Florida.

Subject to easements, restrictions, reservations and limitations of record, if any.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining.

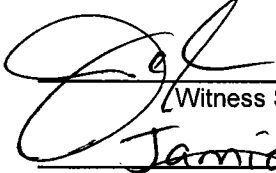
TO HAVE AND TO HOLD the same in Fee Simple forever.

AND the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2020.

WARRANTY DEED
(continued)

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Signed, Sealed and Delivered in the presence of:



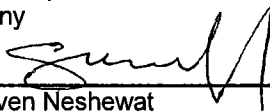
Witness Signature
Jamie Clark

Print Name


Witness Signature
Renee

Print Name

Rocket Acquisitions, LLC, a Florida limited liability company

BY: 

Steven Neshewat
Member

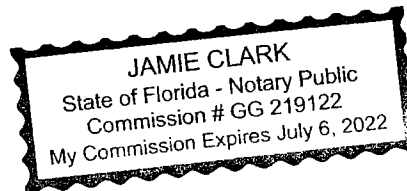
Address: 3703 S Atlantic Ave, Suite 904
Daytona Beach, FL 32118

State of Florida
County of Volusia

The foregoing instrument was acknowledged before me by means of ☒ physical presence or [] online notarization, this 21 day of April 2021, by Steven Neshewat, to me known to be the person(s) described in or who has/have produced Drivers license as identification and who executed the foregoing instrument and he/she/they acknowledged that he/she/they executed the same.



NOTARY PUBLIC
My Commission Expires:





Community Services Department
Code Enforcement Division
65 STONE STREET
COCOA, FL 32922

DATE: 6/2/2025
CASE: 24-790
ADDRESS: 2526 Stanford Dr

To: COBB, CHRISTINA RENE
2526 STANFORD DR
COCOA, FL 32926

Complainant

**THE CITY OF COCOA,
A Florida municipal Corporation**

Respondent(s)

**COBB, CHRISTINA RENE
Current Property Owner**

VS.

NOTICE OF HEARING

A HEARING will be conducted before the City of Cocoa Code Enforcement Board on 6/19/2025, at 6:00 p.m. or as soon thereafter possible. The hearing will be held at the City of Cocoa City Hall Council Chambers located at 65 Stone Street, Cocoa, FL 32922.

The Code Enforcement Board will receive testimony and evidence at said hearing regarding the violation(s) occurring upon the Property of the Respondent(s) as set forth in the Notice(s) of Violation and shall make a determination as to whether such violation(s) is/are corrected pursuant to Section 162.07, *Florida Statutes*, and Chapter 6, of the City of Cocoa Code of Ordinances.

You are entitled to testify and present evidence and witnesses in defense at the hearing. Since the proceedings of the Code Enforcement Board are legal in nature, you may wish to have legal counsel attend the above referenced hearing.

The Code Enforcement Board may enter an Order requiring the owner of the Property to correct any violation(s) by a specific date and that a fine may be imposed not to exceed Two Hundred and Fifty Dollars (\$250.00) per violation for a first violation or Five Hundred Dollars (\$500.00) per violation for a repeat violation, for each day any violation(s) exist(s) or continue(s) to exist beyond the date the Code Enforcement Board orders you to correct the violation(s). This penalty, if not paid, will become a lien on the Property and any other personal or real property owned by the Respondent(s) which can be satisfied by foreclosure and sale of said Property and/or other personal or real property.

AN AGGRIEVED PARTY, INCLUDING THE CITY OF COCOA, MAY APPEAL A FINAL ADMINISTRATIVE ORDER OF THE CODE ENFORCEMENT BOARD TO THE CIRCUIT COURT AS PROVIDED BY THE GENERAL LAW OF THE STATE OF FLORIDA. ANY SUCH APPEAL MUST BE FILED WITHIN THIRTY (30) DAYS OF THE EXECUTION OF THE ORDER TO BE APPEALED. FURTHER, IF AN APPEAL IS FILED, THE AGGRIEVED PARTY MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE BOARD'S HEARING IS MADE, WHICH INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

Justin Simpson

Justin Simpson, Code Enforcement Officer
321-482-4608 | jsimpson@cocoafl.org



Community Services Department
Code Enforcement Division
65 Stone Street
Cocoa, FL 32922

AFFIDAVIT OF POSTING

Pursuant to Chapter 162, Florida Statutes, I, **Justin Simpson**, Code Enforcement Officer, City of Cocoa Code Enforcement Department, hereby affirms that a copy of the Notice of Hearing for case 25-790
24 was posted at the following location(s):

(1) Date Posted: 2 June 2025
Location: 2526 Stanford Dr
Cocoa, FL 32926

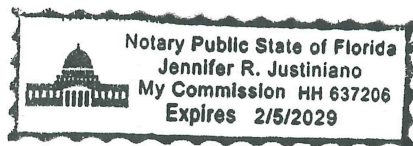
(2) Date Posted: 2 June 2025
Location: **65 Stone Street**
Cocoa, FL 32922

Justin Simpson
Code Enforcement Officer

STATE OF FLORIDA

City of Cocoa

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 2nd day of June, 2025
by Justin Simpson.



Jennifer R. Justiniano
NOTARY PUBLIC, State of Florida

Print Name: Jennifer R. Justiniano

Personally Known ☒ OR Produced Identification _____

Type of Identification Produced: _____

CODE BOARD AGENDA ITEM

Memo Date: 05/30/2025
Agenda Date: 6/19/2025
Prepared By: Darla Crawl, Code Enforcement Coordinator
Through: Thomas Wilkinson, Code Enforcement Manager
Charlene Neuterman, Community Services Director
Requested Action: Find the property owner, Richard Stone & Daisy Stone of 516 W. King St., Cocoa, FL (Stone Funeral Home), in violation of the following City Codes listed and assess a one-time fine of \$250 be imposed immediately.
Ch. 12, Sec. 12-11 Doing Business Without BTR

BACKGROUND:

On March 14, 2025 I (Code Officer Brimm) closed the previous case for the forementioned business at the direction of of the Code Manager due to the length of time the case had been open. Updated photos were taken, one or more violations were noted. An Notice of Violation was generated and will be mailed out the following business day. The property does have a history with Code Enforcement. No contact as of yet has been made with the owners.

On April 8, 2025 I went into the business and spoke to the owner's son. He stated his mother passed away in October 2024 and he wasn't aware of the Business Tax Receipt. He was given Beth's (Permit Technician) phone number and informed how to go about getting the BTR renewed.

On May 28, 2025, I checked the BTR website for the status of the business tax receipt. The business still shows being behind going back to 2022.

The property is still in violation of the following city codes:

Ch. 12, Sec. 12-11 Doing Business Without BTR

PRIORITY AREA CONNECTION:

Public Safety/Community Standards

BUDGETARY IMPACT:

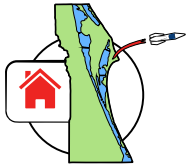
PREVIOUS ACTION:

Staff contacted the property owner and issued a Notice of Violation with corrective action on violations.

RECOMMENDED MOTION:

Find the property owner, Richard Stone & Daisy Stone of 516 W. King St., Cocoa, FL (Stone Funeral Home), in violation of the following City Codes listed and assess a one-

time fine of \$250 be imposed immediately.
Ch. 12, Sec. 12-11 Doing Business Without BTR

**REAL PROPERTY DETAILS**
Account 2425822 - Roll Year 2024

Owners	STONE, RICHARD E; STONE, DAISY
Mailing Address	516 W KING ST COCOA FL 32922
Site Address	516 W KING ST COCOA FL 32922
Parcel ID	24-36-33-30-*-1
Taxing District	23D0 - COCOA
Exemptions	NONE
Property Use	7600 - MORTUARY
Total Acres	0.18
Site Code	0310 - STATE ROAD 520
Plat Book/Page	0002/0034
Subdivision	SUNNYSIDE ADDN TO COCOA DRAWDYS PLAT OF
Land Description	SUNNYSIDE ADDN TO COCOA DRAWDYS PLAT OF LOTS 1, 2, 3 EX RR & HWY R/WS

**VALUE SUMMARY**

Category	2024	2023	2022
Market Value	\$238,290	\$246,450	\$254,620
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$238,290	\$246,450	\$254,240
Assessed Value School	\$238,290	\$246,450	\$254,620
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$238,290	\$246,450	\$254,240
Taxable Value School	\$238,290	\$246,450	\$254,620

SALES / TRANSFERS

Date	Price	Type	Instrument
01/10/2000	--	QC	4112/2556
08/01/1977	--	QC	1772/0737

BUILDINGS**PROPERTY DATA CARD #1****Building Use:** 7600 - MORTUARY

Materials		Details	
Exterior Wall:	STUCCO , BRICK	Year Built	1951
Frame:	MASNRYCONC , WOOD FRAME	Story Height	10
Roof:	BU-TG/MMBRN	Floors	2
Roof Structure:	WOOD TRUSS	Residential Units	
		Commercial Units	1
Sub-Areas		Extra Features	
Base Area (1st)	4,676	Fence - Chain Link 6'	45
Base Area (2nd)	1,156	Paving - Asphalt	3,000
Carport	1,470	Paving - Concrete	2,128
Open Porch	380		
Total Base Area	5,832		
Total Sub Area	7,682		

CFN:2000007880
OR Book/Page: 4112 / 2556
01-20-2000 02:15 pm

This Instrument Prepared By: Joseph R. Moss, Attorney
1530 S. Federal Highway
Rockledge, Florida 32955

QUIT CLAIM DEED

THIS INDENTURE made this 10 day of January, 2000 by **RUDOLPH V. STONE**, a Married Man, 632 Varr Avenue, Cocoa, Florida, 32922, grantor, as party of the first part, to **RUDOLPH V. STONE and JANORISE STONE, TRUSTEES OF THE RUDOLPH V. STONE and JANORISE STONE REVOCABLE TRUST**, Husband and Wife, grantee, as party of the second part.

WITNESSETH, that said party of the first part, for and in consideration of the sum of Ten and no/100th Dollars (\$10.00), in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, has remised, released and quit claimed, and by these presents does remise, release and quitclaim unto the said parties of the second part all the right, title, interest claim and demand which the said party of the first part has in and to the following described lot, piece or parcel of land, situate laying and being in the County of Brevard, State of Florida, to wit:

Section 33, Township 24, Range 36, S 30 B L 1 Drawdys plat of Sunnyside addition to Cocoa, Lots 1, 2, 3 ex RR & HWY R/WS.

Physical Address: 516 W. King Street , Cocoa, FL, 32922.

Parcel Identification No.: 243633301

THE ATTORNEY PREPARING THIS DEED HAS NO RESPONSIBILITY FOR TITLE TO THE PROPERTY.

THIS IS NOT A SALE

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said first party, either in law or equity, to the only proper use, benefit and behoof of the said second party forever.

IN WITNESS WHEREOF, the said first party has signed and sealed these presents, the day and year first above written.

Joseph R. Moss
Witness

Erica Beaumgard
Witness

RUDOLPH V. STONE

Sandy Crawford

Clerk Of Courts, Brevard County

#Pgs: 1	#Names: 4	Serv: 0.00
Trust: 1.00	Rec: 5.00	Excise: 0.00
Deed: 0.70		Int Tax: 0.00
Mtg: 0.00		

STATE OF FLORIDA

COUNTY OF BREVARD

The foregoing instrument was acknowledged before me this 10 day of January, 2000 by **RUDOLPH V. STONE**, who is personally known to me or who has produced as identification and who did take an oath.



Mary E. Moss
MY COMMISSION # CC733866 EXPIRES
May 15, 2002
BONDED THRU TROY FAIR INSURANCE, INC.

My Commission Expires:

NOTARY PUBLIC
Sign Mary E. Moss
Print Mary E. Moss
State of Florida at Large



Cocoa Police Department
Code Enforcement Division
1226 W. KING ST
COCOA, FL 32922

Notice of Violation

DATE: 3/17/2025
CASE: 25-82

To: STONE, RICHARD E; STONE, DAISY
516 W. King St COCOA FL 32922

Dear Property Owner(s):

This is to advise you that an inspection of the property was conducted and the conditions on the property at the time of inspection indicated violation(s) of County Ordinance or Land Development Code exist.

Location of Violation: 516 W. King St.
Parcel Control No. 24-36-33-30-*--1

Reference of Violation(s): (1) 1. Business Tax Receipt Ch 12 Sec. 12-1 (a)(b)

Description of Violation(s):

(1) Did allow for violation of City of Cocoa Code **Sec. 12-1 (a)(b). – Business Tax Receipt**

Corrective Action:

(1) *Please obtain or renew any required Business Tax Receipt(s) for any/all business at this location.*

If the violation(s) are not corrected by **April 17, 2025**, City of Cocoa may either: **(1)** issue you a citation which can result in a fine not to exceed \$250.00 per violation, **(2)** violation may be abated if the code applies, or **(3)** pursue the matter to the Code Enforcement Board; who, upon substantiation of the violation(s), may impose a fine not to exceed \$250.00 per violation per day, or \$500.00 per violation per day for a repeat violation each day the violation(s) continues to occur beyond the time specified for compliance. However, if the code enforcement board finds the violation(s) to be irreparable or irreversible in nature, it may

impose a fine not to exceed \$5,000 per violation(s) each day the violation(s) continues to occur beyond the time specified for compliance.

If you have any questions regarding this Notice of Violation or the recommendations contained herein, do not hesitate to contact the below signed Code Enforcement Officer.

Jason Brimm

JASON BRIMM

Code Enforcement Officer

[321-474-0809](tel:321-474-0809)jbrimm@cocoapolice.com

Monday – Friday / 8am – 5pm



Community Services Department
Code Enforcement Division
65 Stone Street
Cocoa, FL 32922

AFFIDAVIT OF POSTING

Pursuant to Chapter 162, Florida Statutes, I, Jason Brimm, Code Enforcement Officer, City of Cocoa Code Enforcement Department, hereby affirms that a copy of the Notice of Hearing for case 25-82 was posted at the following location(s):

(1) Date Posted: 6/2/2025

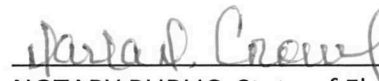
Location: 65 Stone St. Cocoa, FL 32922


Code Enforcement Officer

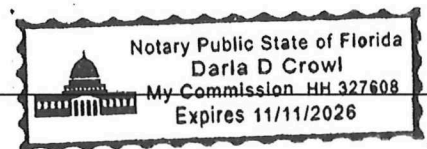
STATE OF FLORIDA

City of Cocoa

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 2 day of June, 2025
by JASON BRIMM CODE OFFICER


NOTARY PUBLIC, State of Florida

Print Name: _____



Personally Known X OR Produced Identification _____

Type of Identification Produced: _____

CODE BOARD AGENDA ITEM

Memo Date: 05/29/2025
Agenda Date: 6/19/2025
Prepared By: Darla Crawl, Code Enforcement Coordinator
Through: Thomas Wilkinson, Code Enforcement Manager
Charlene Neuterman, Community Services Director
Requested Action: Enact the \$250/day fine starting from 19 June 2025 as defined in the Code Board Order on 15 May 2025

BACKGROUND:

March 17, 2024, Mr. Yates' property was observed to have multiple violations, and an NOV was sent out.

May 8, 2024, Mr. Yates was sent a Final NOV. The property had been observed multiple times with no progress.

October 31, 2024, Cocoa PD sends Code Enforcement a request to bring Mr. Yates into compliance.

January 3, 2025, Mr. Yates doesn't show up for a meeting he requests, even after a rescheduling.

February 28, 2025, A fire occurs at the property when someone living at the property tries cooking inside one of the RVs. The State Fire Marshal is called and requests our presence.

March 4, 2025, an amended NOV is sent to Mr. Yates to incorporate everything found during the 20 February incident.

April 28, 2025, the property was posted for being open/unsafe due to no water account.

May 8, 2025, the property was reinspected and found to still be in violation.

May 15, 2025, The Code Enforcement Board held a public hearing, at which time the Board found the owner, Mark Yates, in violation of city code(s) and provided the owner with sufficient time of June 18, 2025, to correct the following violation(s).

Ch. 6, Art. III, Div. 3, Sec. 6-900 (b)(11) Junk, Trash, Debris

Ch. 6, Art. III, Div. 3, Sec. 6-902 (b)(2) Abandoned Vehicles

PRIORITY AREA CONNECTION:

Public Safety/Community Standards

BUDGETARY IMPACT:

Budgeted? Yes/No

If not budgeted, is amendment / transfer attached?

Source/Use of Funds

Account Number

Amount

If a P.O. Change Order is involved, please complete the following:

Change Order Amount: \$

Original Purchase Order Amount: \$

For this Agenda Item note Prior Change Order Information:

Total Number of change orders to date:

Total amount in change orders to date: \$

PREVIOUS ACTION:

The Code Enforcement Board held a public hearing on May 15, 2025, at which time the Board found the owner, Mark Yates, in violation of city code(s). The Code Enforcement Board provided the owners sufficient time of June 18, 2025, to correct the violation(s).

RECOMMENDED MOTION:

Enact the \$250/day fine starting from 19 June 2025 as defined in the Code Board Order on 15 May 2025



Cocoa Police Department
Code Enforcement Division
1226 W. KING ST
COCOA, FL 32922

Notice of Violation

DATE: 2/6/2025
CASE: 25-37

To: YATES, MARK
1112 OHIO ST
COCOA, FL 32922

Dear Property Owner(s):

This is to advise you that an inspection of the property was conducted and the conditions on the property at the time of inspection indicated violation(s) of City Ordinance.

Location of Violation: 1112 Ohio St, Cocoa, FL 32922
Parcel Control No. 24-36-32-03-* -12.01:

Reference of Violation(s):

- (1) Notification of City of Cocoa Code App. A, Art. XI, Schedule of District Regulations, Sec. 15 District and Intent – C-W, Wholesale Commercial District (D) (1).
- (2) Notification of City of Cocoa Code Chapter 6 Buildings, Construction and Property Regulations, Art. III, Div. 3 Nuisances, Sec. 6-900 Generally (b) (1) (a-d), (4) (a-c), (8), (9), (11).
- (3) Notification of City of Cocoa Code Chapter 6 Buildings, Construction and Property Regulations, Art. III, Div. 3 Nuisances, Sec. 6-902 Discarding junk, inoperable or abandoned motor vehicles (b) (1-2).
- (4) Notification of City of Cocoa Code Chapter 6 Buildings, Construction and Property Regulations, Art. III, Div. 4 General Requirements, Sec. 6-1001 Exterior property areas (g-h).

Description of Violation(s):

- (1) Did allow for violation of City of Cocoa Code App. A, Art. XI, Schedule of District Regulations, Sec. 15 District and Intent – C-W, Wholesale Commercial District (D) (1). ***The provisions of this district are intended to apply to an area in close proximity to transportation facilities and which can serve warehousing, distribution, wholesaling and other related functions of the city and region. (D) (1) Prohibited Uses and Structures: Residential uses including hotels and motels.***
- (2) Did allow for violation of City of Cocoa Code Chapter 6 Buildings, Construction and Property Regulations, Art. III, Div. 3 Nuisances, Sec. 6-900 Generally (b) (1) (a-d), (4) (a-c), (8), (9), (11). ***General conditions of property which constitute nuisance. It shall constitute a nuisance for any person, to whom this article is applicable, to permit one (1) or more of the following conditions to exist on real property within the city.***
- (3) Did allow for violation of City of Cocoa Code Chapter 6 Buildings, Construction and Property Regulations, Art. III, Div. 3 Nuisances, Sec. 6-902 Discarding junk, inoperable or abandoned motor vehicles (b) (1-2). ***Storing, parking or leaving abandoned property/inoperable motor vehicles on private property prohibited. (1) No person shall***

park, store, leave or permit the storing or leaving of any abandoned property or inoperable motor vehicle of any kind, whether attended or not on private property within the city; (2) The absence of a license plate for the current year and/or the absence of a current motor vehicle registration shall be prima facie evidence that such vehicle is inoperable and/or abandoned.

(4) Did allow for violation of City of Cocoa Code Chapter 6 Buildings, Construction and Property Regulations, Art. III, Div. 4 General Requirements, Sec. 6-1001 Exterior property areas (g-h). **(G) Accessory structures: All accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair.** **(H) Motor vehicles. Except as provided for in other regulations, no inoperative or unlicensed motor vehicle shall be parked, kept or stored on any premises, and no vehicle shall at any time be in a state of major disassembly, disrepair or in the process of being stripped or dismantled.**

Corrective Action:

*Please apply of rezoning of the property with the Planning and Zoning department. Please remove or repair all inoperable vehicles on the property and all vehicles must have a current registration. Please remove all **trash, debris, refuse, filth and waste** from the property listed above. Please fix and maintain all structures on the property.*

If the violation(s) are not corrected by **March 6, 2025**, City of Cocoa may either: **(1)** issue you a citation which can result in a fine not to exceed \$250.00 per violation, **(2)** violation may be abated if the code applies, or **(3)** pursue the matter to the Code Enforcement Board; who, upon substantiation of the violation(s), may impose a fine not to exceed \$250.00 per violation per day, or \$500.00 per violation per day for a repeat violation each day the violation(s) continues to occur beyond the time specified for compliance. However, if the code enforcement board finds the violation(s) to be irreparable or irreversible in nature, it may impose a fine not to exceed \$5,000 per violation(s) each day the violation(s) continues to occur beyond the time specified for compliance.

If you have any questions regarding this Notice of Violation or the recommendations contained herein, do not hesitate to contact the below signed Code Enforcement Officer.

Justin Simpson

Justin Simpson

Code Enforcement Officer

321-482-4608 / jsimpson@cocoapolice.com

Monday – Friday / 8am – 5pm



Cocoa Police Department
Code Enforcement Division
1226 W. KING ST
COCOA, FL 32922

Amended Notice of Violation

DATE: 3/4/2025
CASE: 25-37

To: YATES, MARK
1112 OHIO ST
COCOA, FL 32922

Dear Property Owner(s):

This is to advise you that an inspection of the property was conducted and the conditions on the property at the time of inspection indicated violation(s) of City Ordinance.

Location of Violation: 1112 Ohio St, Cocoa, FL 32922
Parcel Control No. 24-36-32-03-* -12.01:

Reference of Violation(s):

- (1) Notification of City of Cocoa Code App. A, Art. XI, Schedule of District Regulations, Sec. 15 District and Intent – C-W, Wholesale Commercial District (D) (1).
- (2) Notification of City of Cocoa Code Chapter 6 Buildings, Construction and Property Regulations, Art. III, Div. 3 Nuisances, Sec. 6-900 Generally (b) (1) (a-d), (4) (a-c), (8), (9), (11).
- (3) Notification of City of Cocoa Code Chapter 6 Buildings, Construction and Property Regulations, Art. III, Div. 3 Nuisances, Sec. 6-902 Discarding junk, inoperable or abandoned motor vehicles (b) (1-2).
- (4) Notification of City of Cocoa Code Chapter 6 Buildings, Construction and Property Regulations, Art. III, Div. 4 General Requirements, Sec. 6-1001 Exterior property areas (g-h).
- (5) Notification of City of Cocoa Code Chapter 12 Local Business Taxes, Sec. 12-11 Doing Business without, or under a fraudulently obtained local business tax receipt.
- (6) Notification of City of Cocoa Code Chapter 12 Local Business Taxes, Sec. 12-21 Property owners allowing persons to engage in business upon real property without a required local business tax receipt.
- (7) Notification of City of Cocoa Code App. A, Art. XI, Schedule of District Regulations, Sec. 15 District and Intent – C-W, Wholesale Commercial District (A) (15) (f) (8)

Description of Violation(s):

- (1) Did allow for violation of City of Cocoa Code App. A, Art. XI, Schedule of District Regulations, Sec. 15 District and Intent – C-W, Wholesale Commercial District (D) (1). **The provisions of this district are intended to apply to an area in close proximity to transportation facilities and which can serve warehousing, distribution, wholesaling and other related functions of the city and region. (D) (1) Prohibited Uses and Structures: Residential uses including hotels and motels.**
- (2) Did allow for violation of City of Cocoa Code Chapter 6 Buildings, Construction and Property Regulations, Art. III, Div. 3 Nuisances, Sec. 6-900 Generally (b) (1) (a-d), (4) (a-c), (8), (9), (11). **General conditions of property which constitute nuisance. It shall**

constitute a nuisance for any person, to whom this article is applicable, to permit one (1) or more of the following conditions to exist on real property within the city.

(3) Did allow for violation of City of Cocoa Code Chapter 6 Buildings, Construction and Property Regulations, Art. III, Div. 3 Nuisances, Sec. 6-902 Discarding junk, inoperable or abandoned motor vehicles (b) (1-2). Storing, parking or leaving abandoned property/inoperable motor vehicles on private property prohibited. (1) No person shall park, store, leave or permit the storing or leaving of any abandoned property or inoperable motor vehicle of any kind, whether attended or not on private property within the city; (2) The absence of a license plate for the current year and/or the absence of a current motor vehicle registration shall be prima facie evidence that such vehicle is inoperable and/or abandoned.

(4) Did allow for violation of City of Cocoa Code Chapter 6 Buildings, Construction and Property Regulations, Art. III, Div. 4 General Requirements, Sec. 6-1001 Exterior property areas (g-h). (G) Accessory structures: All accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair. (H) Motor vehicles. Except as provided for in other regulations, no inoperative or unlicensed motor vehicle shall be parked, kept or stored on any premises, and no vehicle shall at any time be in a state of major disassembly, disrepair or in the process of being stripped or dismantled.

(5) Did allow for violation of City of Cocoa Code Chapter 12 Local Business Taxes, Sec. 12-11 Doing Business without, or under a fraudulently obtained local business tax receipt. It shall be unlawful for any person to engage in any trade, business, profession or occupation within the city without a local business tax receipt as required by this chapter, or under a local business tax receipt issued upon a false statement made by any person engaged in any trade, business, profession or occupation within the city or in his behalf.

(6) Did all for violation of City of Cocoa Code Chapter 12 Local Business Taxes, Sec. 12-21 Property owners allowing persons to engage in business upon real property without a required local business tax receipt. No owner of real property shall knowingly or willfully allow, upon said owner's real property, any other person to engage in or manage any business, occupation or profession for which there is a local business tax receipt required by this chapter or any other ordinance of the city, unless such person engaging in or managing the business, occupation or profession shall first procure a local business tax receipt from the city pursuant to this chapter.

(7) Did allow for violation of City of Cocoa Code App. A, Art. XI. Schedule of District Regulations, Sec. 15 District and Intent – C-W, Wholesale Commercial District (A) (15) (f) (8). Major recreational equipment permitted under this section shall not be used as living quarters.

Corrective Action:

Please apply of rezoning of the property with the Planning and Zoning department. Please remove or repair all inoperable vehicles on the property and all vehicles must have a

*current registration. Please remove all **trash, debris, refuse, filth and waste** from the property listed above. Please fix and maintain all structures on the property.*

Cease and desist all business being conducted at the property listed above until such a time that you acquire a business tax receipt. Have all persons conducting business on your property cease and desist until such a time they acquire a business tax receipt.

Cease and desist all housekeeping activities on the property. It is against City Code to allow persons to live in RVs on the property.

If the violation(s) are not corrected by **April 1, 2025**, City of Cocoa may either: **(1)** issue you a citation which can result in a fine not to exceed \$250.00 per violation, **(2)** violation may be abated if the code applies, or **(3)** pursue the matter to the Code Enforcement Board; who, upon substantiation of the violation(s), may impose a fine not to exceed \$250.00 per violation per day, or \$500.00 per violation per day for a repeat violation each day the violation(s) continues to occur beyond the time specified for compliance. However, if the code enforcement board finds the violation(s) to be irreparable or irreversible in nature, it may impose a fine not to exceed \$5,000 per violation(s) each day the violation(s) continues to occur beyond the time specified for compliance.

If you have any questions regarding this Notice of Violation or the recommendations contained herein, do not hesitate to contact the below signed Code Enforcement Officer.

Justin Simpson

Justin Simpson

Code Enforcement Officer

321-482-4608 / jsimpson@cocoapolice.com

Monday – Friday / 8am – 5pm

**CODE ENFORCEMENT BOARD
CITY OF COCOA, FLORIDA
CASE NO. 25-37**

THE CITY OF COCOA

A Florida Municipal Corporation,
Complainant,

vs.

YATES, MARK

Owners of the Property located at:
1112 OHIO ST
COCOA FL 32922
Parcel ID: 24-36-32-03-*-12.01

Respondent,

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

THIS CAUSE, having come for consideration, after being duly noticed, before the Code Enforcement Board of the City of Cocoa, Florida, on **May 15, 2025** to determine whether any violations of the City of Cocoa Code of Ordinances exist or existed on the property. The Board, having heard the arguments of the parties and the evidence presented and having reviewed the record and being otherwise fully advised, makes the following Findings of Fact, Conclusions of Law and Order as set forth herein.

Findings of Fact and Conclusions of Law

Based upon the evidence and testimony presented at this hearing, the Code Enforcement Board finds: That a code enforcement officer of the City of Cocoa determined the Subject Property was in violation of:

1. ☒ *Ch. 6, Art. 111, Div. 3, Sec. 6-900 (b)(11) Junk, Trash, Debris* **250.00**
2. ☒ *Ch. 6, Art. 111, Div. 3, Sec. 6-902 (b)(2) Abandoned Vehicles* **250.00**

Of the City Code, and issued a Notice of Violation to Respondent giving a reasonable time to correct the violation(s).

1. That Respondent failed to correct such violation(s) within the reasonable time period provided in the Notice of Violation. Pursuant to section 162.06, Florida Statutes, this hearing was scheduled. Proper written notice of this hearing was given to Respondent.

2. That based on the testimony and evidence presented, including Staff's presentation, the Board finds Respondent is in violation of the following violations of the City Code:

1. ☒ *Ch. 6, Art. 111, Div. 3, Sec. 6-900 (b)(11) Junk, Trash, Debris* **250.00**
2. ☒ *Ch. 6, Art. 111, Div. 3, Sec. 6-902 (b)(2) Abandoned Vehicles* **250.00**

Order

BASED UPON THE FOREGOING FACTS AND CONCLUSIONS OF LAW, IT IS HEREBY ORDERED:

1. Respondent shall be given until June 18, 2025 to correct all violations set forth herein on the property.

2. If Respondent fails to correct all cited violations within the time period set forth herein, the Code Enforcement Officer shall schedule this Case to appear for a compliance hearing before the Code Enforcement Board at a date to be determined, where the sole issue to be considered is whether compliance has been achieved on all violations. Respondent will be given an opportunity to appear and present evidence regarding compliance.

3. Upon a finding by the Code Enforcement Board that the property was not brought into compliance by the date set forth in this Order, a fine in the amount of:

1. ☒ Ch. 6, Art. 111, Div. 3, Sec. 6-900 (b)(11) Junk, Trash, Debris **250.00**
2. ☒ Ch. 6, Art. 111, Div. 3, Sec. 6-902 (b)(2) Abandoned Vehicles **250.00**

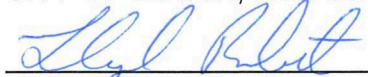
Per day may be imposed for each and every day any of the violations continue past the above-stated date ordered for compliance by the Board and the daily fines shall continue to run until the violation is corrected and full compliance is confirmed by the Code Enforcement Officer. Respondent shall be responsible to immediately notify the Code Enforcement Officer if the property has been brought into compliance.

4. If the Board finds Respondent failed to comply with all violations by the date set forth herein, an Order Imposing Fine shall be entered and a certified copy of said Order may be recorded in the public records of Brevard County, Florida, which shall serve as a lien against the property.

Once the violations have been corrected, any of the same violations by Respondent within five years may constitute a repeat violation where the Board may impose a fine of up to \$500.00 per day for each day the violation exists beginning the day the repeat violation is first observed by the Code Enforcement Officer.

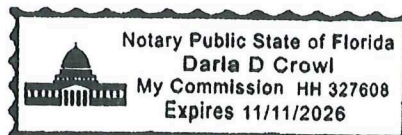
DONE AND ORDERED THIS **15th** DAY OF **May**, **2025**.

CODE ENFORCEMENT BOARD OF THE
CITY OF COCOA, FLORIDA


Chairman, Code Enforcement Board

I CERTIFY THAT A COPY OF THIS ORDER was furnished to Respondent(s) at **YATES, MARK** mailing address is 1112 OHIO ST COCOA FL 32922 this **15th** day of **May**, **2025** ____ via ____ hand delivery/ ☒ certified mail/ ____ U.S. mail/ ____ posting (mark all that apply).


Secretary, Code Enforcement Board



CODE BOARD AGENDA ITEM

Memo Date: 05/30/2025
Agenda Date: 6/19/2025
Prepared By: Darla Crowl, Code Enforcement Coordinator
Through: Thomas Wilkinson, Code Enforcement Manager
Charlene Neuterman, Community Services Director
Requested Action: Enact the \$250/day fine starting from 16 April 2025 as defined in the Code Board Order on 20 March 2025.

BACKGROUND:

On January 5, 2024, Former Officer Folger conducted an inspection of 1304 S. Lakemont Dr and found (1) one or more violations. The property was noted to have priors. Notice of Violation (NOV) was generated and sent the following business day. Re-Inspection will be conducted on or after the given (30) thirty days. Inspection of the property found multiple violations including, Storing junk auto, storing outdoors, parking in yard, and exterior property areas(driveway) NOV was sent, and no contact had been made.

On February 12, 2024, the property found no improvement of the property and while I was inspecting the homeowner was on the roof doing roof repairs with no permit that was added to the violation and Final Notice of Violation (FNOV) was sent. Still no contact from homeowner as of February 28, 2024.

On January 13, 2025, I (Code Officer Jason Brimm) conducted a follow-up inspection of the property. There have been no improvements/corrections since the last inspection conducted by former Officer Folger. Updated photos were taken and uploaded. An amended notice of violation was sent to the address on file at the property appraiser's office as well as the physical address for the violation, which was different to ensure the owner and potential violator were notified. I spoke to one of the tenants of the property, Steve, who was outside working on a vehicle at the property.

On February 3, 2025, I conducted a follow-up inspection of the property. No improvements have been made; updated photos were taken.

On February 6, 2025, the NOV that was mailed to the property address of 1304 S. Lakemont was returned to the Code Enforcement office. The envelope was scanned into the folder.

On February 14, 2025, I received the certified letter that was sent to the registered owner according to the BCPAO. A photo was taken and uploaded.

On March 7, 2025, I posted a Notice of Hearing on the property and was also mailed to the property owner via certified mail the same day.

On March 18, 2025, I updated photos for the property at the Manager's request for the Code Board hearing on Thursday. The tenant e-mailed me regarding the code violations; the e-mail was uploaded to the file.

On April 18, 2025, I took updated photos of the property. The property showed no improvements and had acquired more garbage and abandoned vehicles. I e-mailed the tenant of the property and attached photos with instructions on bringing the property into compliance. I spoke to Steven Turrell prior to the e-mail which he requested be sent to him.

On May 2, 2025, Steve contacted me after I reached out regarding the status of the property. In the response I was informed in no uncertain terms to leave him alone. I reiterated I was giving the extra 30 days to attempt to come into compliance before the next Code Board hearing.

On May 19, 2025, I conducted an inspection of the property. Some progress and improvement have been made, photos were taken and uploaded. No further contact with the owner yet.

On May 29, 2025, going by the date I had given the tenant to come into compliance, I inspected the property again. The property remains in violation.

March 20, 2025, The Code Enforcement Board held a public hearing, at which time the Board found the owner, Cocoa Loft LLC, in violation of city code(s) and provided the owners sufficient time of April 16, 2025, to correct the following violation(s).

1. City of Cocoa Code Chapter 6 Buildings, Construction, Sec.6-902, Discarding Junk, inoperable or Abandoned Vehicles (b)(1)
2. City of Cocoa Code Chapter 6 Buildings, Sec. 6-900 Generally Nuisances(b)(1).

PRIORITY AREA CONNECTION:

Public Safety/Community Standards

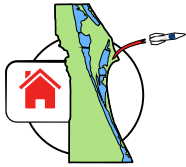
BUDGETARY IMPACT:

PREVIOUS ACTION:

The Code Enforcement Board held a public hearing on March 20, 2025, at which time the Board found the owner, Burton Baum, in violation of city code(s). The Code Enforcement Board provided the owners sufficient time of April 16, 2025, to correct the violation(s).

RECOMMENDED MOTION:

Enact the \$250/day fine starting from 16 April 2025 as defined in the Code Board Order on 20 March 2025.

**REAL PROPERTY DETAILS**
Account 2421352 - Roll Year 2023

Owners	BAUM, BURTON J
Mailing Address	471 E 62ND STREET HIALEAH FL 33013
Site Address	1304 SOUTH LAKEMONT DR COCOA FL 32922
Parcel ID	24-36-29-BW-*-231
Taxing District	23D0 - COCOA
Exemptions	NONE
Property Use	0110 - SINGLE FAMILY RESIDENCE
Total Acres	0.21
Site Code	0001 - NO OTHER CODE APPL.
Plat Book/Page	0013/0088
Subdivision	COCOA HILLS SUBD, REPLAT OF PT OF
Land Description	COCOA HILLS SUBD, REPLAT OF PT OF LOT 231

**VALUE SUMMARY**

Category	2023	2022	2021
Market Value	\$141,250	\$121,210	\$80,230
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$78,700	\$71,550	\$65,050
Assessed Value School	\$141,250	\$121,210	\$80,230
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$78,700	\$71,550	\$65,050
Taxable Value School	\$141,250	\$121,210	\$80,230

SALES / TRANSFERS

Date	Price	Type	Instrument
03/16/2007	\$30,000	QC	5759/4915
02/28/1999	\$55,000	WD	3967/1947
01/01/1998	--	QC	3792/0552
10/01/1969	--	--	1098/0824

BUILDINGS**PROPERTY DATA CARD #1****Building Use:** 0110 - SINGLE FAMILY RESIDENCE

Materials		Details	
Exterior Wall:	PAINTED EXTERIOR	Year Built	1960
Frame:	MASNRYCONC	Story Height	8
Roof:	ASPH/ASB SHNGL	Floors	1
Roof Structure:	HIP/GABLE	Residential Units	1
		Commercial Units	0
Sub-Areas		Extra Features	
Base Area (1st)	1,296	No Data Found	
Carport	264		
Open Porch	72		
Utility Room	48		
Total Base Area	1,296		
Total Sub Area	1,680		



Cocoa Police Department
Code Enforcement Division
1226 W. KING ST
COCOA, FL 32922

DATE: 1/4/2024
CASE: 24-13

To: BAUM, BURTON J
471 E 62ND STREET
HIALEAH FL 33013

Notice of Violation

Address of Violation: 1304 SOUTH LAKEMONT DR COCOA FL 32922
Parcel Control No.: 24-36-29-BW-*-231
Legal Description: COCOA HILLS SUBD, REPLAT OF PT OF LOT 231

PURSUANT to Section 162.06, *Florida Statutes*, and Chapter 6, of the City of Cocoa Code of Ordinances, the undersigned Code Enforcement Officer hereby gives notice of violation(s) of the City Of Cocoa Code of Ordinances, as more specifically described below. Respondent(s) is/are hereby Notified that corrective action(s) to cure the Violation(s) must be taken. The following must be corrected within 30 days.

City of Cocoa Code Violation(s):

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

Storing Outdoors, Ch 6 Sec. 6-900 (b)(11)

Parking in Yard Ch 6 Sec. 6-900 (b)(9)

Exterior Property Areas, Ch. 6 Sec. 6-1001 (c)



Corrective Action:

Please remove or repair any and all vehicles. All vehicles must have a current registration. *Please remove all items or place all outside storage in a fully enclosed building.*

Please cease parking vehicles in the front yard area of the property. Please repair and maintain driveway.

In the event that the violation is/are not corrected within the time, set forth above a Notice to Appear will be sent scheduling this matter to the City of Cocoa Code Enforcement Board For further action. The Code Enforcement Board may enter an order requiring the Respondent(s) to correct the violation(s) and penalties may be assessed up to \$250 per day for first time violations described in this notice until the violation(s) has/have been corrected. If the violation(s) is/are corrected within the time required, the Respondent(s) must immediately notify the Code Enforcement Officer and request an inspection. If the respondent requires additional time, it is the respondent's duty to notify the code enforcement officer to determine reasonable time.

If you have any questions regarding this Notice of Violation or the recommendations contained herein, do not hesitate to contact the below signed Code Enforcement Officer.

Michael Folger

MICHAEL FOLGER

Code Enforcement Officer

[321-474-0809](tel:321-474-0809) | mfolger@cocoapolice.com

Tuesday- Friday 7am-6pm



Cocoa Police Department
Code Enforcement Division
1226 W. KING ST
COCOA, FL 32922

Amended Notice of Violation

DATE: 1/14/2025

CASE: 24-13

To: BAUM, BURTON J
1304 SOUTH LAKEMONT DR COCOA, FL 32922

Dear Property Owner(s):

This is to advise you that an inspection of the property was conducted and the conditions on the property at the time of inspection indicated violation(s) of County Ordinance or Land Development Code exist.

Location of Violation: 1304 SOUTH LAKEMONT DR COCOA FL 32922

Parcel Control No. 24-36-29-BW-*-231:

Reference of Violation(s): (1) Notification of City of Cocoa Code Chapter 6 Buildings, Construction, Sec.6-902, *Discarding Junk, inoperable or Abandoned Vehicles (b)(1)*.
(2) Notification of City of Cocoa Code Chapter 6 Buildings, Construction, Sec. 6-900 Generally Nuisances(B1).

Description of Violation(s):

(1) Did allow for violation of City of Cocoa Code Chapter 6 Buildings, Construction, Sec. 6-902, *Discarding Junk, inoperable or Abandoned Vehicles (b)(1)*. ***Storing, parking or leaving abandoned property/inoperable motor vehicles on private property prohibited. (1) No person shall park, store, leave or permit the storing or leaving of any abandoned property or inoperable motor vehicle of any kind, whether attended or not on private property within the city.***

(2) Did allow for violation of City of Cocoa Code Chapter 6 Buildings, Construction, Sec. 6-900 Generally (B1) ***Which states Accumulation of trash, debris, refuse, filth, waste or noxious matter or the accumulation of weeds, grass or underbrush for a period of Seven (7) days, which reason of its location and visibility from adjacent property is either unsightly and interferes with the reasonable enjoyment of property by neighbors.***

Corrective Action:

*Please remove or repair all inoperable vehicles on the property and all vehicles must have a current registration. Please remove all **trash, debris, refuse, filth and waste** from the property listed above.*

If the violation(s) are not corrected by **January 31, 2025**, City of Cocoa may either:(1) issue you a citation which can result in a fine not to exceed \$250.00 per violation, (2) violation may be abated if the code applies, or (3) pursue the matter to the Code Enforcement Board; who, upon substantiation of the violation(s), may impose a fine not to exceed \$250.00 per violation per day, or \$500.00 per violation per day for a repeat violation each day the

violation(s) continues to occur beyond the time specified for compliance. However, if the code enforcement board finds the violation(s) to be irreparable or irreversible in nature, it may impose a fine not to exceed \$5,000 per violation(s) each day the violation(s) continues to occur beyond the time specified for compliance.

If you have any questions regarding this Notice of Violation or the recommendations contained herein, do not hesitate to contact the below signed Code Enforcement Officer.

Jason Brimm

JASON BRIMM

Code Enforcement Officer

321-474-0809jjbrimm@cocoapolice.com

Monday – Friday / 8am – 5pm

**CODE ENFORCEMENT BOARD
CITY OF COCOA, FLORIDA
CASE NO. 24-13**

THE CITY OF COCOA

A Florida Municipal Corporation,
Complainant,

vs.

BAUM, BURTON J

Owners of the Property located at:
1304 SOUTH LAKEMONT DR
COCOA FL 32922
Parcel ID: 24-36-29-BW-*-231

Respondent,

_____ /

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

THIS CAUSE, having come for consideration, after being duly noticed, before the Code Enforcement Board of the City of Cocoa, Florida, on **March 20, 2025** to determine whether any violations of the City of Cocoa Code of Ordinances exist or existed on the property. The Board, having heard the arguments of the parties and the evidence presented and having reviewed the record and being otherwise fully advised, makes the following Findings of Fact, Conclusions of Law and Order as set forth herein.

Findings of Fact and Conclusions of Law

Based upon the evidence and testimony presented at this hearing, the Code Enforcement Board finds: That a code enforcement officer of the City of Cocoa determined the Subject Property was in violation of:

1. ☒ City of Cocoa Code Chapter 6 Buildings, Construction, Sec.6-902, Discarding Junk, inoperable or abandoned Vehicles (b)(1) **250.00**
2. ☒ City of Cocoa Code Chapter 6 Buildings, Construction, Sec. 6-900 Generally Nuisances(B1) **250.00**
3. ☐ *Select Code Violation* **Select One**
4. ☐ *Select Code Violation* **Select One**

Of the City Code, and issued a Notice of Violation to Respondent giving a reasonable time to correct the violation(s).

1. That Respondent failed to correct such violation(s) within the reasonable time period provided in the Notice of Violation. Pursuant to section 162.06, Florida Statutes, this hearing was scheduled. Proper written notice of this hearing was given to Respondent.

2. That based on the testimony and evidence presented, including Staff's presentation, the Board finds Respondent is in violation of the following violations of the City Code:

1. ☒ *City of Cocoa Code Chapter 6 Buildings, Construction, Sec.6-902, Discarding Junk, inoperable or abandoned Vehicles (b)(1)* **250.00**

2. ☒ City of Cocoa Code Chapter 6 Buildings, Construction, Sec. 6-900 Generally Nuisances(B1) **250.00**
3. ☐ Select Code Violation **Select One**
4. ☐ Select Code Violation **Select One**

Order

BASED UPON THE FOREGOING FACTS AND CONCLUSIONS OF LAW, IT IS HEREBY ORDERED:

1. Respondent shall be given until April 16, 2025 to correct all violations set forth herein on the property.

2. If Respondent fails to correct all cited violations within the time period set forth herein, the Code Enforcement Officer shall schedule this Case to appear for a compliance hearing before the Code Enforcement Board at a date to be determined, where the sole issue to be considered is whether compliance has been achieved on all violations. Respondent will be given an opportunity to appear and present evidence regarding compliance.

3. Upon a finding by the Code Enforcement Board that the property was not brought into compliance by the date set forth in this Order, a fine in the amount of:

1. ☒ City of Cocoa Code Chapter 6 Buildings, Construction, Sec. 6-902, Discarding Junk, inoperable or abandoned Vehicles (b)(1) **250.00**
2. ☒ City of Cocoa Code Chapter 6 Buildings, Construction, Sec. 6-900 Generally Nuisances(B1) **250.00**
3. ☐ Select Code Violation **Select One**
4. ☐ Select Code Violation **Select One**

Per day may be imposed for each and every day any of the violations continue past the above-stated date ordered for compliance by the Board and the daily fines shall continue to run until the violation is corrected and full compliance is confirmed by the Code Enforcement Officer. Respondent shall be responsible to immediately notify the Code Enforcement Officer if the property has been brought into compliance.

4. If the Board finds Respondent failed to comply with all violations by the date set forth herein, an Order Imposing Fine shall be entered and a certified copy of said Order may be recorded in the public records of Brevard County, Florida, which shall serve as a lien against the property.

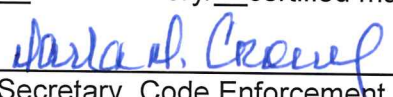
Once the violations have been corrected, any of the same violations by Respondent within five years may constitute a repeat violation where the Board may impose a fine of up to \$500.00 per day for each day the violation exists beginning the day the repeat violation is first observed by the Code Enforcement Officer.

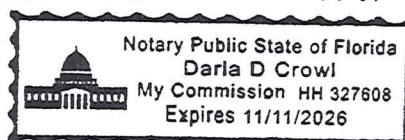
DONE AND ORDERED THIS **20th** DAY OF **March, 2025**.

CODE ENFORCEMENT BOARD OF THE
CITY OF COCOA, FLORIDA


Chairman, Code Enforcement Board

I CERTIFY THAT A COPY OF THIS ORDER was furnished to Respondent(s) at BAUM, BURTON J mailing address is 471 E 62ND STREET HIALEAH FL 33013 this **20th** day of **March, 2025** via ___hand delivery/___certified mail/___U.S. mail/___posting (mark all that apply).


Secretary, Code Enforcement Board



QUIT CLAIM DEED

THIS QUIT CLAIM DEED, made on March 16, 2007, by **Steven Turrill**, a married man/Grantor of 1304 South Lakemont Dr., Cocoa, Florida 32922 to **Burton J. Baum**, a single man/Grantee, 471 E. 62nd St., Hialeah, Florida 33013.

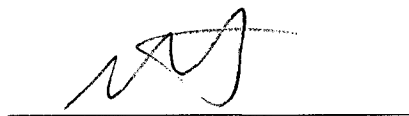
Grantor does hereby remise, release, and forever quitclaim to Grantee that real property located in Brevard County, in the State of Florida, more particularly described as:

LOT 231, REPLAT OF PART OF COCOA HILLS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 13, PAGE 88, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA

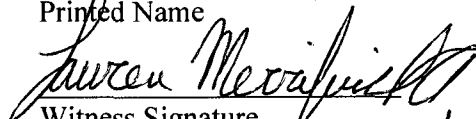
Together with all the estate and rights of the Grantor in such property.

IN WITNESS WHEREOF, Grantor has executed this deed on the date first above written.


Witness Signature


STEVEN TURRILL

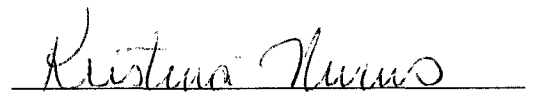
Christine Thompson
Printed Name


Witness Signature
Lauren Merrifield
Printed Name

STATE OF FLORIDA
COUNTY OF BREVARD

SWORN TO AND SUBSCRIBED before me personally appeared **STEVEN TURRILL**, who is personally known or produced photo ID as identification this 16 day of March 2007.

(Notary Stamp)
 Kristina Nevins
My Commission **DD331491**
Expires June 22, 2008


NOTARY PUBLIC STATE OF FLORIDA

Prepared by:
Billy M. Thomas, Esquire, 997 S. Wickham Road, West Melbourne, Florida 32904

Send Subsequent Tax Bills to:
Burton J. Baum, 471 E. 62nd St., Hialeah, Florida 33013

CODE BOARD AGENDA ITEM

Memo Date: 05/28/2025
Agenda Date: 6/19/2025
Prepared By: Thomas Wilkinson, Code Enforcement Manager
Through: Charlene Neuterman, Community Services Director
Thomas Wilkinson, Code Enforcement Manager
Requested Action: The staff's recommendation is that the fine / lien be reduced to **\$1,819.99**, 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.

BACKGROUND:

Lien Reduction Request For **1001 N. Indian River Dr.**
Reference Case # **CE18-651**

The Code Enforcement Board held a public hearing on **May 16, 2019**, at which time the Board found the owner, **Patricia Ahneman**, in violation of the following:

- City Code, XXII. Permit Required App. A Article XV Sec. 2(a)
- City Code, Chapter 6, Sec 6-1002 (a) Pools and spas
- City Code, XXIII. Permit Required (Fences) App Art. XIII sec 5 (c)

The Code Enforcement Board provided the owners sufficient time of **June 16, 2019**, to correct said violation(s). Therefore, consistent with the Code Enforcement Board's Order, a Non-Compliance Hearing was held on **September 19, 2019**.

The lien ran at **\$75.00** per day from **June 16, 2019**, until compliance was achieved on **December 6, 2024**. Code records show the case was closed, leaving a fine of **\$149,945.00**. The property owner (**Patricia Ahneman**) is requesting that the lien be reduced to the amount of **Zero**.

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; **Yes**
- Applicant resides at the property: **yes**
- The number of violations related to the subject lien; **three**
- Number of Inspections performed: **10**
- 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, June 19, 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 **\$750,030** according to the Brevard County Property Appraiser as a **Single Family Residence**.

The staff's recommendation is that the fine / lien be reduced to **\$1,819.99**, 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.

PRIORITY AREA CONNECTION:

Public Safety/Community Standards

BUDGETARY IMPACT:

PREVIOUS ACTION:

The Code Enforcement Board held a public hearing on **May 16, 2019**, at which time the Board found the owner, **Patricia Ahneman**, in violation of City Code(s).

RECOMMENDED MOTION:

The staff's recommendation is that the fine / lien be reduced to **\$1,819.99**, 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.

CITY OF COCOA
CODE ENFORCEMENT
STAFF REPORT

Lien Reduction Request For **1001 N. Indian River Dr.**
Reference Case # **CE18-651**

The Code Enforcement Board held a public hearing on **May 16, 2019**, at which time the Board found the owner, **Patrica Ahneman** in violation of the following:

- City Code, XXII. Permit Required App. A Article XV Sec. 2(a)
- City Code, Chapter 6, Sec 6-1002 (a) Pools and spas
- City Code, XXIII. Permit Required (Fences) App Art. XIII sec 5 (c)

The Code Enforcement Board provided the owners sufficient time of **June 16, 2019**, to correct said violation(s). Therefore, consistent with the Code Enforcement Board's Order a Non-Compliance Hearing was held on **September 19, 2019**.

The lien ran at **\$75.00** per day from **June 16, 2019** until compliance was achieved on **December 6, 2024**. Code records show the case was closed leaving a fine of **\$149,945.00**. The property owner (**Patrica Ahneman**) is requesting that the lien be reduced to the amount of **Zero**.

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; **Yes**
- Applicant resides at the property: **yes**
- The number of violations related to the subject lien; **Three**
- Number of Inspections performed: **10**
- 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, June 19, 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 **\$750,030** according to the Brevard County Property Appraiser as a **Single Family Residence**.

The staff's recommendation is that the fine / lien be reduced to **\$1,819.99** 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.

**Cocoa Community Services
Code Enforcement Division
Affidavit for Cost Reimbursement of Code Enforcement Case**

Case#: CE18-651

Date: 06/19/2025

Patricia Ahneman

Site Address: 1001 N Indian River Dr.

Cocoa Code Enforcement has incurred actual costs, as defined in F.S.S 162.09 for cost by the City in Prosecuting this case.

A. Salaries of Code Enforcement staff. (Hourly rate: Officer-\$35.06, Coordinator-\$36.06, Manager-\$48.54, Chief-\$69.71 & City Attorney-\$150.00)

	Officer/Manager	# of Inspections	Hours	Rate	Total
1	Code Officer	10	0.75	\$35.06	\$262.95
2	Code Manager	4	0.75	\$48.54	\$145.62
3					
				Total A1	\$408.57

	Officer/Manager	Office Duties	Hours	Rate	Total
1	Code Officer	10	0.5	35.06	\$350.60
2	Code Manager	4	0.5	48.54	\$194.16
3					
				Total A2	\$544.76

	Supporting Staff	Duty	Hours	Rate	Total
1	Code Coordinator	Case Duties	6	\$36.06	\$216.36
2	City Attorney	Case Duties	3	\$150.00	\$450.00
3	Chief	Board Hearings	0	\$69.71	\$0.00
4					
5					
				Total A3	\$666.36

B. Expenditures - Actual expenses incurred during the process of the Code Case.

	Item	Quantity	Amount	Total
1	Documents per Sheet	350	\$0.35	\$122.50
2	Large Envelope	25	\$0.64	\$16.00
3	Standard Envelope	12	\$0.10	\$1.20
4	Color Photo Prints	20	\$0.55	\$11.00
5	Standard Mail	6	\$0.55	\$3.30
6	Certified Mail	5	\$5.26	\$26.30
7	Recording Fees	2	\$10.00	\$20.00
8				
9				
			Total B	\$200.30

C. Total Amount of Cost (A1+A2+A3+B):

\$1,819.99



Application # CE - 18 - 651

LIEN REDUCTION APPLICATION

Cocoa Police Department
Code Enforcement Division
1226 W King Street
Cocoa, Florida 32922
Phone; (321) 433-8508

This application must be completed entirely. The property must be in compliance per the City Code Section 6-707(d), if the property does not meet the guidelines of the City Code the Lien Reduction Application will not be scheduled for a hearing before the Code Enforcement Board.

This form is divided into steps which will help you prepare your request, provide the necessary information, and prepare for the Code Enforcement Board and City Council hearing.

For Office Use Only - Date Received

1/31/25

Stamp Only When Application is Fully Complete

Please TYPE or PRINT this application neatly.

1. Date: 15 JANUARY 2025

2. Applicant Information: * NOTE: Applicant is the main contact, who must attend the meeting.

Company (if applicable): _____

Name: PATRICIA M. AHNEMAN JR.

Mailing Address: 1001 N. INDIAN RIVER DRIVE

City: COCOA State: FL Zip Code: 32922

Phone #: _____ Fax #: _____

Mobile #: 901.827.88.93 E-mail: PARKER52843@MYPACKS.NET

3. Property Owner Information:

* Check here if same as Applicant → ☒

* If more than one owner, attach additional sheet with names and addresses.

Company (if applicable): _____

Name: NEAL DONOHUE

Mailing Address: 1001 N. INDIAN RIVER DRIVE

City: COCOA State: FL Zip Code: 32922

Phone #: _____ Fax #: _____

Mobile #: 901.751.07.51 E-mail: BLUEST26541@MYPACKS.NET

4. Information for property on which lien occurs:

Street Address and Location: 1001 N. INDIAN RIVER DRIVE, COCOA, FL 32922

Parcel ID:

24-36-28-BP-000000,0-

0015,00

Tax Account Number:

2420979

Existing Use(s) on Property: RESIDENTIAL

Proposed Use(s) on Property: RESIDENTIAL

(If residential – (circle one) owner occupied or rental), if rental does property owner anticipate accepting any state or federal rental subsidies?

Nature of Violation(s): NON-COMPLIANCE

Date Fine or Lien Imposed: 23 AUG 2019
per day

Amount of Fine:

75.⁰⁰/DAY

Have the violation(s) on the subject property been corrected: (Yes) No (Circle one)

Date upon which the subject property was brought into compliance: 2018

5. Please provide the following information:

Code enforcement case number: CE-18-651

Were you the property owner at the time the lien was imposed? (Yes) No (Circle one) If so, how many days did it take from the board order to the date compliance was achieved? NEXT DAY

If you were not the property at the time the violation occurred, were you aware of the lien when you purchased the property? Yes / No / NA (Circle one) If the property was not in compliance at the time you purchased the property how many days from the time of purchase did it take for you to come into compliance? _____

Did you receive the Notice of Violation issued by the Code Enforcement Division: (Yes) No (Circle one)

Did you receive the Finding of Facts issued by the Code Enforcement Board: Yes / (No) (Circle one)

The factual basis upon which the application for reduction of the lien should be granted:

WE PULLED PERMITS THROUGH THE COMPANY ACCOMPLISHING THE WORK THE ROOF PULLED A PERMIT AND A FINAL INSPECTION WAS ACCOMPLISHED 20 AUG 2018. THE HVAC PERMIT WAS PULLED AND WAS TO HAVE A FINAL INSPECTION 13 JULY 2017. THE INSPECTION OF THE FENCE WAS ACCOMPLISHED AND - WE HAD MOVED THE FENCE BACK THE REQUIRED ONE HALF INCH, WE WERE TOLD WE PASSED.

The reasons, if any, compliance was not obtained prior to the order of penalty or fine being recorded:

IT TOOK THE CITY OVER SIX MONTHS TO APPROVE THE FENCE PERMIT.
THEY WOULD NOT RETURN TELEPHONE CALLS, THE BUILDING DEPARTMENT
LOST THE PAPERWORK. WE NEEDED TO REAPPLY. WE WERE PLACED
AFTER ALL THE HURRICANE APPLICANTS.

Amount you are requesting that the lien be reduced to: ZERO (0)

Please provide any other information deemed pertinent to this request, including but not limited to the circumstances that exist which would warrant the reduction or forgiveness of the penalty or fine. Include documentation of any financial investment made to physically improve the property:

IT TOOK THE CITY OVER SIX MONTHS TO APPROVE THE FENCE PERMIT.
THEY WOULD NOT RETURN TELEPHONE CALLS. THE BUILDING DEPARTMENT
LOST THE PAPERWORK. WE NEEDED TO REAPPLY. WE WERE PLACED AFTER
ALL THE HURRICANE APPLICANTS.

Are there any other properties within the jurisdictional limits of the City of Cocoa owned by the applicant and/or owners of the subject property on which code violations have been alleged, of which the case is still active, or a Finding of Facts has been entered by the Code Enforcement Board, if so please provide the address, the nature of violation and the status of such:

NONE

6. Please submit the following items in order complete the application:

- a. ☒ **Notarized application.**
- b. ☐ **Reimbursement to City for recording costs at time of application.** Pursuant to Section 6-707(c), Code of the City of Cocoa, at the time of application, payment to the city in the amount necessary to reimburse the City for its costs associated with processing and recording the order imposing a penalty or fine and the requested satisfaction or release of lien. Please make checks payable to the 'City of Cocoa' and submit payment ONLY to the Community Services Department. Please note that these costs are non-refundable without regard for the final disposition of the application for satisfaction or release of lien. The application fee is \$20.00 and will need to be paid at the time the application is submitted.
- c. ☐ **Letter of authorization.** If the applicant is not the property owner, a notarized letter of authorization or agent affidavit is required, unless the applicant is the Attorney of the owner. Each property owner must complete a separate authorization form or other suitable documentation to allow the agent to act upon his/her behalf.
- d. ☐ **Corporate documents.** If the applicant/owner is representing a company, articles of incorporation which show the applicant/owner is authorized to represent the company is required. A data record printout from the Florida Department of State, Division of Corporations website may also be provided (<http://www.sunbiz.org/corpweb/inquiry/search.html>).
- e. ☐ **Additional information (optional).** Submit any information that may be helpful in understanding the request. This may include photos, sketches, elevations, or letters from adjoining property owners.

7. **Application Filing Procedure.** This application, together with all required exhibits and attachments, shall be completed and filed with the Code Enforcement Division by the third Friday of each month at 5:00 pm in order to be scheduled for public hearing for the following month.

8. **Procedure per City Code.** Section 6-707 states the City Lien Reduction rules and procedures for applying for a reduction. It is the applicant's responsibility to read and understand the rules and procedures that are located on page 6 of the Lien Reduction Application
9. **Board Action.** An Inspection of the property must be performed to be scheduled at the Code Board. Following a presentation by staff and testimony offered by the applicant, the Code Enforcement Board will formulate a recommendation to City Council.
10. **City Council Action.** An Inspection of the property must be performed to be scheduled before council. Following the Code Enforcement Board making a recommendation to the City Council, staff will schedule the item for the next available City Council regular meeting.
11. **Inspections.** I agree to allow Code Enforcement to inspect my property and give consent to walk the property before proceeding with this reduction ☒ YES ☐ NO

Signature below will also show that consent to inspect was given by the property owner or representative.

12. Signatures and Notarization.

STATE OF Colorado COUNTY OF Arapahoe. I, PATRICIA M. ANDERSON JR.
being first duly sworn, depose and say that:

- ☒ I am the applicant, or if corporation, I am the officer of the corporation authorized to act on this request.
- ☐ I am the legal representative of the applicant of this application and a notarized Letter of Authorization form or agent affidavit accompanies this application giving written, unless the applicant is the Attorney representing the owner.

I hereby certify that I have read, completed and understand this Application and understand that if my application and all associated attachments are not complete and accurate in all respects, the application will not be scheduled for a public hearing. I further understand that this application must be complete and accurate prior to the advertising of a public hearing.

[Signature]
(APPLICANT SIGNATURE)
Public)

Kody Edward Wright
(Print, Type, or Stamp Commissioned Name of Notary)

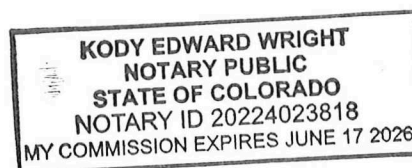
Personally Known ☐ OR Produced Identification ☒

Type of I.D. Produced drivers license

[Signature]
(NOTARY PUBLIC SIGNATURE)

STATE OF FLORIDA, COUNTY OF BREVARD

Sworn and subscribed to before me this 30th day of January, 20 25



Public Hearing Process Information.

It is the responsibility of the Applicant to read the Lien Reduction Application to its entirety. Please keep this sheet from your application for your records. At any time through this process you have any questions or concerns, please contact the Code Enforcement Division at 321-433-8508.

1. **Public hearing date and location.** All regularly scheduled hearings are held on the third Thursday of each month at 6:00pm in the Cocoa City Hall Council Chambers located at 65 Stone Street, Cocoa, Florida unless otherwise notified.
2. **Presence required at the public hearings.** The applicant or his/her representative must be present to answer any questions concerning the request. If there are extenuating circumstances why the applicant or his/her representative cannot attend, he or she must notify the City in writing prior to the public hearing.
3. **Preparing for public hearing.** It is the applicant's responsibility to research and know all laws that may be applicable and may affect the outcome of any decision on the applicant's request.
4. **Format of public hearing.** The public hearing before the Code Enforcement Board is quasi-judicial in nature. *State and local law strictly prohibits applicants and/or interested parties from participating in ex-parte communications with Board members in person, by phone, e-mail, or in writing before the application is considered at a public hearing.* Applicants are encouraged to review and copy the quasi-judicial rules and procedures used by the Code Enforcement Board before the public hearing date. A copy may be obtained from the City Clerk's Office.
5. **Exhibits at public hearing.** If photographs, documents, maps or other materials are provided to the Board as evidence at the public hearing, the applicant must provide a copy to the Recording Secretary, City Staff, and the Code Enforcement Board for examination. One copy of any exhibits and/or evidence shall be provided, by law those instruments automatically become part of the public records and cannot be returned to the applicant.
6. **Witnesses at public hearing.** For the purposes of making a decision on the application, the Board shall only consider testimony of qualified witnesses. A witness is determined by the Board and is generally based on:
 - a. The witness has personal knowledge of the fact in which the witness will testify; and/or
 - b. In the case of testimony consisting of opinions or inferences, the testimony is qualified as the following:
 1. Layman witness: Testimony of a witness other than an expert witness is qualified only if:
 - The witness can readily, and with equal accuracy and adequacy, communicate what he or she perceived to the Board without testifying in the form of opinions or inferences.
 - The opinions and inferences do not require any special knowledge, skill experience or training.
 2. Expert witness. Testimony of an expert witness is qualified only if:
 - The subject matter is proper for expert testimony because scientific, technical, or other specialized skill will help the Board understand the evidence being presented, or helps establish a fact in issue.
 - The witness is adequately qualified to express an opinion on the matter.

Sec. 6-707. - Satisfaction or release of code enforcement lien. (NOTE: this is not the code section in its entirety)

- (b) **Application.** The application shall be executed under oath and sworn to in the presence of a notary public.
- (c) **Reimbursement to city for recording costs at time of application.** The violator shall submit, at the time of application, payment to the city in the amount necessary to reimburse the city for its costs associated with recording the order imposing a penalty or fine and the requested satisfaction or release of lien. These costs are non-refundable, without regard for the final disposition of the application for satisfaction or release of lien.
- (d) **Processing of application by Code Enforcement Manager or Chief of Police.** Upon receipt of the application for satisfaction or release of lien and payment provided above, the community development director shall confirm through the code enforcement department that the violation which resulted in the order imposing penalty or fine has been brought into compliance. If the violation has been brought into compliance and there is no current code violation upon the property in question, the community development director shall place the application upon the agenda of the next meeting of the code enforcement board.
- (e) **Code enforcement board hearing.** At the hearing before the code enforcement board, the board shall review and consider the application for satisfaction or release of lien, provide the violator with an opportunity to address the board regarding the application for satisfaction or release of lien, and to take the testimony of other interested parties, including but not limited to city staff.

Review and recommendation. Upon review of the application and any testimony presented, the code enforcement board shall recommend to the city council approval, approval with conditions, or denial of the application for satisfaction or release of lien.

The code enforcement board, in determining its recommendation, shall consider the following factors:

- (1) The gravity of the violation;
 - (2) The time in which it took the violator to come into compliance;
 - (3) The accrued amount of the code enforcement fine or lien;
 - (4) Any previous or subsequent code violations;
 - (5) Any financial hardship; and
 - (6) Any other mitigating circumstance which may warrant the reduction or satisfaction of the penalty or fine.
- (f) **Presentation to city council.** After a recommendation has been rendered by the code enforcement board, the community development director shall place the application for satisfaction or release of lien upon the agenda of the next regularly scheduled city council meeting. The city council may take action solely based upon the sworn application and recommendation of the code enforcement board; or it may, in its discretion, provide the violator with an opportunity to address the council in regard to the application for satisfaction or release of lien.
- City Council action. The city council may approve, approve with conditions, or deny the application to satisfy or release of lien. If the city council approves the application to satisfy or release the lien and the approval is conditioned upon the violator paying a reduced penalty, fine, or any other condition, the satisfaction or release of lien shall not be prepared or recorded until the condition(s) placed by the council have been satisfied.
- (g) **Compliance with city council conditions.** The violator shall have thirty (30) days in which to comply with the conditions imposed by the city council. Failure of the violator to comply will result in the automatic denial of the application for satisfaction or release of lien.
 - (h) **Effect of denial on application for subsequent lien reduction or forgiveness.** If the application is denied or if the application is automatically denied due to the failure of the violator to comply with the conditions imposed by the city council, the violator shall thereafter be barred from applying for a subsequent reduction or forgiveness of the lien for a period of one (1) year from the date of denial. During the one-year period, the lien may only be satisfied and released upon full payment of the fine or penalty imposed in accordance with this chapter.

(Ord. No. 16-06, § 2, 5-9-06)

CODE ENFORCEMENT BOARD
CITY OF COCOA, FLORIDA
CASE NO. 18-651
9/19/2019

THE CITY OF COCOA
A Florida Municipal Corporation

Complainant,

vs.

Donohue, Neal D; Ahneman, Patricia M Jr
Owners of the Property located at:
1001 N Indian River Dr
Cocoa FL 32922

Parcel ID: 24-36-28-BP-*-15

Respondent,

CFN 2019234708, OR BK 8573 PAGE 1222,
Recorded 10/28/2019 at 12:05 PM, Scott Ellis, Clerk of
Courts, Brevard County
Pgs:1

ORDER IMPOSING ADMINISTRATIVE FINE/LIEN

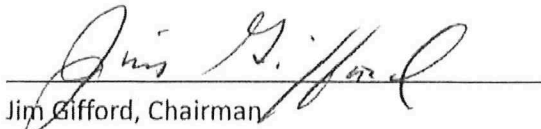
THIS CAUSE, having come for consideration, after being duly noticed, before the Code Enforcement Board of the City of Cocoa, Florida, on 9/19/2019 to determine whether any violations of the City of Cocoa Code of Ordinances existed on the property. The Board, having heard the arguments of the parties and the evidence presented and having reviewed the record and being otherwise fully advised, issued the Findings of Fact, Conclusions of Law and Order. The Order required the Respondent to come into compliance by 6/16/2019

At a duly noticed Compliance Hearing of Code Enforcement Board the Respondent was found in non-compliance of the Board Order. It is hereby Ordered that the City of Cocoa shall impose a fine in the amount of \$75.00 per day until the violation is corrected and full compliance is confirmed by the Code Enforcement Officer.

This Order shall be recorded in the public records for Brevard County, Florida, which shall serve as a lien against and upon any real or personal property owned by the Respondent pursuant to Section 162.08 and 162.09, Florida Statutes.

DONE AND ORDERED at Cocoa, Florida, this 19th , day of September, 2019

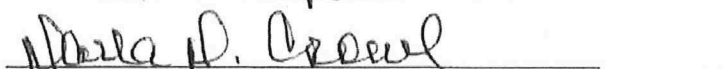
CODE ENFORCEMENT BOARD OF THE CITY OF COCOA, FLORIDA

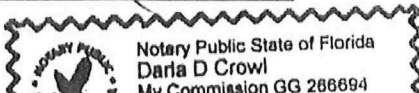

Jim Gifford, Chairman

CERTIFICATION:

State of Florida, County of Brevard

I hereby certify that this is an Original Copy of the Order of the Code Enforcement Board that was acknowledged before me this 19 day of September 2019, by Jim Gifford, Chairman of the City of Cocoa Code Enforcement Board.


Notary Public Signature



CODE ENFORCEMENT BOARD
CITY OF COCOA, FLORIDA
CASE NO. 18-651
9/19/2019

THE CITY OF COCOA
A Florida Municipal Corporation

Complainant,

vs.

Donohue, Neal D; Ahneman, Patricia M Jr
Owners of the Property located at:
1001 N Indian River Dr
Cocoa FL 32922

Parcel ID: 24-36-28-BP-*-15

Respondent,

ORDER IMPOSING ADMINISTRATIVE FINE/LIEN

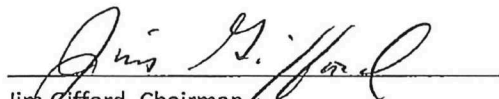
THIS CAUSE, having come for consideration, after being duly noticed, before the Code Enforcement Board of the City of Cocoa, Florida, on 9/19/2019 to determine whether any violations of the City of Cocoa Code of Ordinances existed on the property. The Board, having heard the arguments of the parties and the evidence presented and having reviewed the record and being otherwise fully advised, issued the Findings of Fact, Conclusions of Law and Order. The Order required the Respondent to come into compliance by 6/16/2019.

At a duly noticed Compliance Hearing of Code Enforcement Board the Respondent was found in non-compliance of the Board Order. It is hereby Ordered that the City of Cocoa shall impose a fine in the amount of \$75.00 per day until the violation is corrected and full compliance is confirmed by the Code Enforcement Officer.

This Order shall be recorded in the public records for Brevard County, Florida, which shall serve as a lien against and upon any real or personal property owned by the Respondent pursuant to Section 162.08 and 162.09, Florida Statutes.

DONE AND ORDERED at Cocoa, Florida, this 19th , day of September, 2019

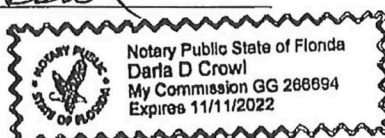
CODE ENFORCEMENT BOARD OF THE CITY OF COCOA, FLORIDA


Jim Gifford, Chairman

CERTIFICATION.
State of Florida, County of Brevard

I hereby certify that this is an Original Copy of the Order of the Code Enforcement Board that was acknowledged before me this 19 day of September 2019, by Jim Gifford, Chairman of the City of Cocoa Code Enforcement Board.


Notary Public Signature



**CODE ENFORCEMENT BOARD
CITY OF COCOA, FLORIDA
CASE NO. 18-651**

THE CITY OF COCOA

A Florida Municipal Corporation,
Complainant,

vs.

Donohue, Neal D; Ahneman, Patricia M Jr
Owners of the Property located at:
1001 N Indian River Dr
Cocoa, FL 32922

Parcel ID: 24-36-28-BP-*-15

Respondent,

_____/

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

THIS CAUSE, having come for consideration, after being duly noticed, before the Code Enforcement Board of the City of Cocoa, Florida, on May 16, 2019 to determine whether any violations of the City of Cocoa Code of Ordinances exist or existed on the property. The Board, having heard the arguments of the parties and the evidence presented and having reviewed the record and being otherwise fully advised, makes the following Findings of Fact, Conclusions of Law and Order as set forth herein.

Findings of Fact and Conclusions of Law

Based upon the evidence and testimony presented at this hearing, the Code Enforcement Board finds: That a code enforcement officer of the City of Cocoa determined the Subject Property was in violation of: XXII.Permit Required App A Art. XV Sec 2 (a), XXIV.Pools and Spas Ch 6 Sec. 6-1002 (a) and XXIII.Permit Required (fences) App A Art. XIII Sec 5 (c), of the City Code, and issued a Notice of Violation to Respondent giving a reasonable time to correct the violation(s).

1. That Respondent failed to correct such violation(s) within the reasonable time period provided in the Notice of Violation. Pursuant to section 162.06, Florida Statutes, this hearing was scheduled. Proper written notice of this hearing was given to Respondent.

2. That based on the testimony and evidence presented, including Staff's presentation, the Board finds Respondent is in violation of the following: XXII.Permit Required App A Art. XV Sec 2 (a), XXIV.Pools and Spas Ch 6 Sec. 6-1002 (a) and XXIII.Permit Required (fences) App A Art. XIII Sec 5 (c), of the City Code.

CASE NO: 18-651

Order

BASED UPON THE FOREGOING FACTS AND CONCLUSIONS OF LAW, IT IS HEREBY ORDERED:

1. Respondent shall be given until June 16, 2019 to correct all violations set forth herein on the property.

2. If Respondent fails to correct all cited violations within the time period set forth herein, the Code Enforcement Officer shall schedule this Case to appear for a compliance hearing before the Code Enforcement Board at a date to be determined, where the sole issue to be considered is whether compliance has been achieved on all violations. Respondent will be given an opportunity to appear and present evidence regarding compliance.

3. Upon a finding by the Code Enforcement Board that the property was not brought into compliance by the date set forth in this Order, a fine in the amount of seventy-five dollars (\$75.00) per day may be imposed for each and every day any of the violations continue past the above-stated date ordered for compliance by the Board and the daily fines shall continue to run until the violation is corrected and full compliance is confirmed by the Code Enforcement Officer. Respondent shall be responsible to immediately notify the Code Enforcement Officer if the property has been brought into compliance.

4. If the Board finds Respondent failed to comply with all violations by the date set forth herein, an Order Imposing Fine shall be entered and a certified copy of said Order may be recorded in the public records of Brevard County, Florida, which shall serve as a lien against the property.

Once the violations have been corrected, any of the same violations by Respondent within five years may constitute a repeat violation where the Board may impose a fine of up to \$500.00 per day for each day the violation exists beginning the day the repeat violation is first observed by the Code Enforcement Officer.

DONE AND ORDERED THIS ____ DAY OF _____, 2019.

CODE ENFORCEMENT BOARD OF THE
CITY OF COCOA, FLORIDA

Jim Gifford, Chairman

I CERTIFY THAT A COPY OF THIS ORDER was furnished to Respondent(s) at Donohue, Neal D; Ahneman, Patricia M Jr, whose mailing address is 1001 Indian River Dr N Cocoa FL 32922 this ____ day of _____, 20____ via __hand delivery/ __certified mail/ __U.S. mail/ __posting (mark all that apply).

Secretary, Code Enforcement Board

there was a complaint turned in on this property and Manager Bunt stated no complaint was turned in. Manager Bunt also stated that Code Enforcement noticed the fence on the property without a structure. Manager Bunt stated that he would like to have the addresses of these lots because the Building code requires a primary structure before an accessory and the Zoning Code requires a primary structure before the accessory. Manager Bunt stated that Mr. Barfield would probably need more than 30 days depending on what he is wanting to do with the property. There is commercial and residential property. Mr. Cates stated that the Building Department told him he could start putting up the fence while the permit was being processed. Mr. Gifford suggested that this case needed to be tabled and someone needed to make a motion. Mr. Lightholder made a motion to table for 60 days (November 19, 2019) with the understanding that Mr. Barfield had to come up with a development plan for these properties or correct the violations within the 60 day period. More discussion about the property between the staff and property owner. Mr. Gifford stated that there was a motion on the floor by Mr. Lightholder.

Motion by Mr. Lightholder, seconded by Ms. Weaver, to amend Staff's recommendation and table for 60 days and find the Property Owner in violation. Vote on the motion carried unanimously.

FIRE DEPARTMENT CODE CASE:

None

NON-COMPLIANCE:

1. CE-18-651 – 1001 N Indian River 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 *XXII. Permit Required App A Art. XV Sec 2 (a)*, *XXIII. Permit Required (fences) App A Art. XIII Sec 5 (c)* and *XXIV. Pools and Spas Ch 6 Sec. 6-1002 (a)* of the City of Cocoa Code. Officer Murdick stated a Notice of Hearing was sent on August 23, 2019 and property owner remains in violation.

Property representative: Attorney.

Attorney for the property wanted to go over the violations with the Code Board Members. He stated that the property owner had gotten permits for the work and she was looking for the documentation. The Attorney also stated that a public records request has been put in with the Clerk's office to find out if permits were pulled or not for this property. Ms. Weaver verified with Mr. Gifford that the Board Members were there to determine whether or not the property was in compliance and not to discuss about the permitting whether they were or were not pulled. Manager Bunt stated that Code has checked all of the permitting. The violations that are before the Board are more recent except for the fence which shows that it did fail inspection and was never corrected. Manager Bunt also discussed the HVAC permit that was pulled and has now expired without a final. The roof issue was discussed and determined no permit was pulled for this work which a picture was shown. Mr. Gifford explained the process to the Attorney since he asked for more time to fix the property. Mr. Gifford stated the property is still in noncompliance and no more time can be given. More discussion between staff, property Attorney and Code Board Members.

Motion by Ms. Weaver seconded by Mr. Lightholder, to approve Staff's recommendation and find the Owner in Non-Compliance. Vote on the motion carried unanimously.

2. CE-19-178 – 907 Kensington 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 is in violation of *XXXIII. Storing Outdoors, Ch 6 Sec. 6-900 (b)(11) and XXXVI. Weeds, Ch 6 Sec. 6-1001(d)* of the City of Cocoa Code. Officer Murdick stated a Notice of Hearing was sent on August 23, 2019 and property owner remains in violation.

Property owner was not present.

Motion by Mr. Brown seconded by Ms. Weaver, to approve Staff's recommendation and find the Owner in Non-Compliance. Vote on the motion carried unanimously.

LIEN REDUCTION:

1. CE-14-205 – 811 Eden St.

Dennis Bunt, Code Enforcement Manager, presented a staff report for the lien reduction request. Manager Bunt stated the Code Enforcement Board held a public hearing on March 20, 2014 the Code Enforcement Board found the property owner, Thailisse Morales, in violation of 6-1303 (b-c) Electrical Facilities, 6-1003 (b) Protective

CODE BOARD AGENDA ITEM

Memo Date: 05/28/2025
Agenda Date: 6/19/2025
Prepared By: Thomas Wilkinson, Code Enforcement Manager
Through: Charlene Neuterman, Community Services Director
Thomas Wilkinson, Code Enforcement Manager
Requested Action: The staff's recommendation is that the fine / lien be reduced to **\$2,121.36**, 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.

BACKGROUND:

Lien Reduction Request For **309 N Georgia Ave.**
Reference Case # **CE23-0064**

The Code Enforcement Board held a public hearing on **October 19, 2023**, at which time the Board found the owner, **Fair Price Properties LLC**, in violation of the following:

- City Code Appendix A, Article XV Sec. 2(a) Permit required
- City Code Chapter 6, Sec. 6-1003 (g) Roofs & Drainage
- City Code Chapter 6, Sec. 6-1003 (c) Premises Identification

The Code Enforcement Board provided the owners with sufficient time of **November 18, 2023**, to correct said violation(s). Therefore, consistent with the Code Enforcement Board's Order, a Non-Compliance Hearing was held on **January 18, 2024**.

The lien ran at **\$75.00** per day from **November 18, 2023**, until compliance was achieved on **April 29, 2025**. Code records show the case was closed, leaving a fine of **\$39,620.00**.

The property owner (**Fair Price Properties LLC**) is requesting that the lien be reduced to the amount of **\$1,000.00**.

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; **Yes**
- Applicant resides at the property: **No**
- The number of violations related to the subject lien; **three**
- Number of Inspections performed: **15**
- 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, June 19, 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 is listed at \$117,710.00. According to the Brevard County Property Appraiser, the use is listed as **Single Family Residence**.

The staff's recommendation is that the fine / lien be reduced to **\$2,121.36**, 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.

PRIORITY AREA CONNECTION:

Public Safety/Community Standards

BUDGETARY IMPACT:

PREVIOUS ACTION:

The Code Enforcement Board held a public hearing on **October 19, 2023**, at which time the Board found the owner, **Fair Price Properties LLC**, in violation of city Codes.

RECOMMENDED MOTION:

The staff's recommendation is that the fine / lien be reduced to **\$2,121.36**, 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.



Application # CE - 23 - 64

LIEN REDUCTION APPLICATION

Cocoa Police Department
Code Enforcement Division
1226 W King Street
Cocoa, Florida 32922
Phone: (321) 433-8508

This application must be completed entirely. The property must be in compliance per the City Code Section 6-707(d), if the property does not meet the guidelines of the City Code the Lien Reduction Application will not be scheduled for a hearing before the Code Enforcement Board.

This form is divided into steps which will help you prepare your request, provide the necessary information, and prepare for the Code Enforcement Board and City Council hearing.

For Office Use Only - Date Received
RECEIVED
MAY 21 2025
By <u>[Signature]</u>
Stamp Only When Application is Fully Complete

Please TYPE or PRINT this application neatly.

1. Date: 05/19/2025

2. Applicant Information: * NOTE: Applicant is the main contact, who must attend the meeting.

Company (if applicable): Fair Price Properties LLC

Name: William "Johnny" Diamantas

Mailing Address: 10552 Plantation Bay Dr

City: Tampa State: FL Zip Code: 33647

Phone #: n/a Fax #: n/a

Mobile #: 321-759-8144 E-mail: johnny@fairpriceproperties.com

3. Property Owner Information: * Check here if same as Applicant → ☒

* If more than one owner, attach additional sheet with names and addresses.

Company (if applicable): _____

Name: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Phone #: _____ Fax #: _____

Mobile #: _____ E-mail: _____

4. Information for property on which lien occurs:

Street Address and Location: 309 N Georgia Ave, Cocoa, FL 32922

Parcel ID:

2 4 - 3 6 - 2 9 - 7 8 - 1 1

Tax Account Number:

2	4	2	2	5	9	2
---	---	---	---	---	---	---

Existing Use(s) on Property: 0110 - SINGLE FAMILY RESIDENCE

Proposed Use(s) on Property: 0110 - SINGLE FAMILY RESIDENCE

(If residential – (circle one) **owner occupied** or **rental**), if rental does property owner anticipate accepting any state or federal rental subsidies? Yes rent single family home pending sale

Vacant single family home pending sale

Nature of Violation(s): Code violation

Date Fine or Lien Imposed: 01/18/2024 Amount of Fine: \$39,610.00
per day

Have the violation(s) on the subject property been corrected: ☒ Yes / No (Circle one)

Date upon which the subject property was brought into compliance: 05/06/2024

5. Please provide the following information:

Code enforcement case number: 23-64

Were you the property owner at the time the lien was imposed? Yes No (Circle one) If so, how many days did it take from the board order to the date compliance was achieved? approx 100 days

If you were not the property at the time the violation occurred, were you aware of the lien when you purchased the property? Yes / No / NA (Circle one) If the property was not in compliance at the time you purchased the property how many days from the time of purchase did it take for you to come into compliance? _____

Did you receive the Notice of Violation issued by the Code Enforcement Division: Yes / No (Circle one)

Did you receive the Finding of Facts issued by the Code Enforcement Board: Yes / No (Circle one)

The factual basis upon which the application for reduction of the lien should be granted:

~~This is a low-income housing area that my company wanted to improve. We were broken into and robbed twice, had a contractor run off and most recently, my former business partner failed to manage this property. I was verbally told all violations were satisfied in May 2024. I am finally pending sale with a buyer who is receiving government assistance for the purchase and would like to get this closed out as soon as possible. Thanks for your time and consideration.~~

The reasons, if any, compliance was not obtained prior to the order of penalty or fine being recorded:

Business partner failed to manage this property and I was not informed. I bought him out 3 weeks ago and am just trying to get this closed and sold to a good family.

Amount you are requesting that the lien be reduced to: \$1,000.00

Please provide any other information deemed pertinent to this request, including but not limited to the circumstances that exist which would warrant the reduction or forgiveness of the penalty or fine. Include documentation of any financial investment made to physically improve the property:

I'm taking a loss in excess of \$30,000 on this property due to multiple robberies, contractor theft and code violation delays. I think the \$1,000 is fair to reimburse the city for time spent.

Are there any other properties within the jurisdictional limits of the City of Cocoa owned by the applicant and/or owners of the subject property on which code violations have been alleged, of which the case is still active, or a Finding of Facts has been entered by the Code Enforcement Board, if so please provide the address, the nature of violation and the status of such:

No.

6. Please submit the following items in order complete the application:

- a. ☒ **Notarized application.**
- b. ☒ **Reimbursement to City for recording costs at time of application.** Pursuant to Section 6-707(c), Code of the City of Cocoa, at the time of application, payment to the city in the amount necessary to reimburse the City for its costs associated with processing and recording the order imposing a penalty or fine and the requested satisfaction or release of lien. Please make checks payable to the 'City of Cocoa' and submit payment ONLY to the Community Services Department. Please note that these costs are non-refundable without regard for the final disposition of the application for satisfaction or release of lien. The application fee is \$20.00 and will need to be paid at the time the application is submitted.
- c. ☐ **Letter of authorization.** If the applicant is not the property owner, a notarized letter of authorization or agent affidavit is required, unless the applicant is the Attorney of the owner. Each property owner must complete a separate authorization form or other suitable documentation to allow the agent to act upon his/her behalf.
- d. ☒ **Corporate documents.** If the applicant/owner is representing a company, articles of incorporation which show the applicant/owner is authorized to represent the company is required. A data record printout from the Florida Department of State, Division of Corporations website may also be provided (<http://www.sunbiz.org/corpweb/inquiry/search.html>).
- e. ☐ **Additional information (optional).** Submit any information that may be helpful in understanding the request. This may include photos, sketches, elevations, or letters from adjoining property owners.

7. **Application Filing Procedure.** This application, together with all required exhibits and attachments, shall be completed and filed with the Code Enforcement Division by the third Friday of each month at 5:00 pm in order to be scheduled for public hearing for the following month.

8. **Procedure per City Code.** Section 6-707 states the City Lien Reduction rules and procedures for applying for a reduction. It is the applicant's responsibility to read and understand the rules and procedures that are located on page 6 of the Lien Reduction Application
9. **Board Action.** An Inspection of the property must be performed to be scheduled at the Code Board. Following a presentation by staff and testimony offered by the applicant, the Code Enforcement Board will formulate a recommendation to City Council.
10. **City Council Action.** An Inspection of the property must be performed to be scheduled before council. Following the Code Enforcement Board making a recommendation to the City Council, staff will schedule the item for the next available City Council regular meeting.
11. **Inspections.** I agree to allow Code Enforcement to inspect my property and give consent to walk the property before proceeding with this reduction ☒ YES ☐ NO

Signature below will also show that consent to inspect was given by the property owner or representative.

12. Signatures and Notarization.

STATE OF Florida COUNTY OF Hillsborough I, William John Diamanton
being first duly sworn, depose and say that:

- ☒ I am the applicant, or if corporation, I am the officer of the corporation authorized to act on this request.
- ☐ I am the legal representative of the applicant of this application and a notarized Letter of Authorization form or agent affidavit accompanies this application giving written, unless the applicant is the Attorney representing the owner.

I hereby certify that I have read, completed and understand this Application and understand that if my application and all associated attachments are not complete and accurate in all respects, the application will not be scheduled for a public hearing. I further understand that this application must be complete and accurate prior to the advertising of a public hearing.

[Signature]
(APPLICANT SIGNATURE)
Public)

 MERLIEN BELLAMOUR
Notary Public
(Print Name of Notary)
State of Florida
Comm# HH227728
Expires 2/27/2026

Personally Known ☐ OR Produced Identification ☐

Type of I.D. Produced FL D 20753635900

[Signature]
(NOTARY PUBLIC SIGNATURE)

STATE OF FLORIDA, COUNTY OF BREVARD

Sworn and subscribed to before me this 20th day of May, 20 25

Public Hearing Process Information.

It is the responsibility of the Applicant to read the Lien Reduction Application to its entirety. Please keep this sheet from your application for your records. At any time through this process you have any questions or concerns, please contact the Code Enforcement Division at 321-433-8508.

1. **Public hearing date and location.** All regularly scheduled hearings are held on the third Thursday of each month at 6:00pm in the Cocoa City Hall Council Chambers located at 65 Stone Street, Cocoa, Florida unless otherwise notified.
2. **Presence required at the public hearings.** The applicant or his/her representative must be present to answer any questions concerning the request. If there are extenuating circumstances why the applicant or his/her representative cannot attend, he or she must notify the City in writing prior to the public hearing.
3. **Preparing for public hearing.** It is the applicant's responsibility to research and know all laws that may be applicable and may affect the outcome of any decision on the applicant's request.
4. **Format of public hearing.** The public hearing before the Code Enforcement Board is quasi-judicial in nature. *State and local law strictly prohibits applicants and/or interested parties from participating in ex-parte communications with Board members in person, by phone, e-mail, or in writing before the application is considered at a public hearing.* Applicants are encouraged to review and copy the quasi-judicial rules and procedures used by the Code Enforcement Board before the public hearing date. A copy may be obtained from the City Clerk's Office.
5. **Exhibits at public hearing.** If photographs, documents, maps or other materials are provided to the Board as evidence at the public hearing, the applicant must provide a copy to the Recording Secretary, City Staff, and the Code Enforcement Board for examination. One copy of any exhibits and/or evidence shall be provided, by law those instruments automatically become part of the public records and cannot be returned to the applicant.
6. **Witnesses at public hearing.** For the purposes of making a decision on the application, the Board shall only consider testimony of qualified witnesses. A witness is determined by the Board and is generally based on:
 - a. The witness has personal knowledge of the fact in which the witness will testify; and/or
 - b. In the case of testimony consisting of opinions or inferences, the testimony is qualified as the following:
 1. Layman witness: Testimony of a witness other than an expert witness is qualified only if:
 - The witness can readily, and with equal accuracy and adequacy, communicate what he or she perceived to the Board without testifying in the form of opinions or inferences.
 - The opinions and inferences do not require any special knowledge, skill experience or training.
 2. Expert witness. Testimony of an expert witness is qualified only if:
 - The subject matter is proper for expert testimony because scientific, technical, or other specialized skill will help the Board understand the evidence being presented, or helps establish a fact in issue.
 - The witness is adequately qualified to express an opinion on the matter.

Sec. 6-707. - Satisfaction or release of code enforcement lien. (NOTE: this is not the code section in its entirety)

- (b) **Application.** The application shall be executed under oath and sworn to in the presence of a notary public.
- (c) **Reimbursement to city for recording costs at time of application.** The violator shall submit, at the time of application, payment to the city in the amount necessary to reimburse the city for its costs associated with recording the order imposing a penalty or fine and the requested satisfaction or release of lien. These costs are non-refundable, without regard for the final disposition of the application for satisfaction or release of lien.
- (d) **Processing of application by Code Enforcement Manager or Chief of Police.** Upon receipt of the application for satisfaction or release of lien and payment provided above, the community development director shall confirm through the code enforcement department that the violation which resulted in the order imposing penalty or fine has been brought into compliance. If the violation has been brought into compliance and there is no current code violation upon the property in question, the community development director shall place the application upon the agenda of the next meeting of the code enforcement board.
- (e) **Code enforcement board hearing.** At the hearing before the code enforcement board, the board shall review and consider the application for satisfaction or release of lien, provide the violator with an opportunity to address the board regarding the application for satisfaction or release of lien, and to take the testimony of other interested parties, including but not limited to city staff.

Review and recommendation. Upon review of the application and any testimony presented, the code enforcement board shall recommend to the city council approval, approval with conditions, or denial of the application for satisfaction or release of lien.

The code enforcement board, in determining its recommendation, shall consider the following factors:

- (1) The gravity of the violation;
 - (2) The time in which it took the violator to come into compliance;
 - (3) The accrued amount of the code enforcement fine or lien;
 - (4) Any previous or subsequent code violations;
 - (5) Any financial hardship; and
 - (6) Any other mitigating circumstance which may warrant the reduction or satisfaction of the penalty or fine.
- (f) **Presentation to city council.** After a recommendation has been rendered by the code enforcement board, the community development director shall place the application for satisfaction or release of lien upon the agenda of the next regularly scheduled city council meeting. The city council may take action solely based upon the sworn application and recommendation of the code enforcement board; or it may, in its discretion, provide the violator with an opportunity to address the council in regard to the application for satisfaction or release of lien.

City Council action. The city council may approve, approve with conditions, or deny the application to satisfy or release of lien. If the city council approves the application to satisfy or release the lien and the approval is conditioned upon the violator paying a reduced penalty, fine, or any other condition, the satisfaction or release of lien shall not be prepared or recorded until the condition(s) placed by the council have been satisfied.

- (g) **Compliance with city council conditions.** The violator shall have thirty (30) days in which to comply with the conditions imposed by the city council. Failure of the violator to comply will result in the automatic denial of the application for satisfaction or release of lien.
- (h) **Effect of denial on application for subsequent lien reduction or forgiveness.** If the application is denied or if the application is automatically denied due to the failure of the violator to comply with the conditions imposed by the city council, the violator shall thereafter be barred from applying for a subsequent reduction or forgiveness of the lien for a period of one (1) year from the date of denial. During the one-year period, the lien may only be satisfied and released upon full payment of the fine or penalty imposed in accordance with this chapter.

(Ord. No. 16-06, § 2, 5-9-06)

CITY OF COCOA
CODE ENFORCEMENT
STAFF REPORT

Lien Reduction Request For **309 N Georgia Ave.**
Reference Case # **CE23-0064**

The Code Enforcement Board held a public hearing on **October 19, 2023**, at which time the Board found the owner, **Fair Price Properties LLC**, in violation of the following:

- City Code Appendix A, Article XV Sec. 2(a) Permit required
- City Code Chapter 6, Sec. 6-1003 (g) Roofs & Drainage
- City Code Chapter 6, Sec. 6-1003 (c) Premises Identification

The Code Enforcement Board provided the owners with sufficient time of **November 18, 2023**, to correct said violation(s). Therefore, consistent with the Code Enforcement Board's Order a Non-Compliance Hearing was held on **January 18, 2024**.

The lien ran at **\$75.00** per day from **November 18, 2023** until compliance was achieved on **April 29, 2025**. Code records show the case was closed leaving a fine of **\$39,620.00**.

The property owner (**Fair Price Properties LLC**) is requesting that the lien be reduced to the amount of **\$1,000.00**.

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; **Yes**
- Applicant resides at the property: **No**
- The number of violations related to the subject lien; **Three**
- Number of Inspections performed: **15**
- 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, June 19, 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 is listed at \$117,710.00, according to the Brevard County Property Appraiser the use is listed as **Single Family Residence**.

The staff's recommendation is that the fine / lien be reduced to **\$2,121.36** 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.

**Cocoa Community Services
Code Enforcement Division
Affidavit for Cost Reimbursement of Code Enforcement Case**

Case#: CE23-0064

Date: 06/19/2025

Fair Price Properties LLC.

Site Address: 309 N Georgia Ave

Cocoa Code Enforcement has incurred actual costs, as defined in F.S.S 162.09 for cost by the City in Prosecuting this case.

A. Salaries of Code Enforcement staff. (Hourly rate: Officer-\$35.06, Coordinator-\$36.06, Manager-\$48.54, Chief-\$69.71 & City Attorney-\$150.00)

	Officer/Manager	# of Inspections	Hours	Rate	Total
1	Code Officer	15	0.75	\$35.06	\$394.43
2	Code Manager	6	0.75	\$48.54	\$218.43
3					
				Total A1	\$612.86

	Officer/Manager	Office Duties	Hours	Rate	Total
1	Code Officer	10	0.5	35.06	\$350.60
2	Code Manager	6	0.5	48.54	\$291.24
3					
				Total A2	\$641.84

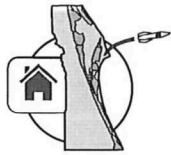
	Supporting Staff	Duty	Hours	Rate	Total
1	Code Coordinator	Case Duties	6	\$36.06	\$216.36
2	City Attorney	Case Duties	3	\$150.00	\$450.00
3	Chief	Board Hearings	0	\$69.71	\$0.00
4					
5					
				Total A3	\$666.36

B. Expenditures - Actual expenses incurred during the process of the Code Case.

	Item	Quantity	Amount	Total
1	Documents per Sheet	350	\$0.35	\$122.50
2	Large Envelope	25	\$0.64	\$16.00
3	Standard Envelope	12	\$0.10	\$1.20
4	Color Photo Prints	20	\$0.55	\$11.00
5	Standard Mail	6	\$0.55	\$3.30
6	Certified Mail	5	\$5.26	\$26.30
7	Recording Fees	2	\$10.00	\$20.00
8				
9				
			Total B	\$200.30

C. Total Amount of Cost (A1+A2+A3+B):

\$2,121.36



REAL PROPERTY DETAILS
Account 2422592 - Roll Year 2024

Owners	FAIR PRICE PROPERTIES LLC
Mailing Address	410 S WARE BLVD, STE 607 TAMPA FL 33619
Site Address	309 N GEORGIA AVE COCOA FL 32922
Parcel ID	24-36-29-78-*11
Taxing District	23D0 - COCOA
Exemptions	NONE
Property Use	0110 - SINGLE FAMILY RESIDENCE
Total Acres	0.14
Site Code	0001 - NO OTHER CODE APPL.
Plat Book/Page	0010/0045
Subdivision	BROADMOOR ACRES SUBD
Land Description	BROADMOOR ACRES SUBD LOT 11



VALUE SUMMARY

Category	2024	2023	2022
Market Value	\$117,710	\$94,880	\$91,720
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$104,360	\$94,880	\$72,100
Assessed Value School	\$117,710	\$94,880	\$91,720
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$104,360	\$94,880	\$72,100
Taxable Value School	\$117,710	\$94,880	\$91,720

SALES / TRANSFERS

Date	Price	Type	Instrument
01/26/2022	\$110,000	WD	9398/0320
01/24/2022	\$95,000	WD	9397/2140
05/30/2017	\$56,900	WD	7903/0690
04/27/2005	--	QC	5457/7857
04/22/2005	--	QC	5456/0052
01/22/2003	\$38,000	WD	4808/1659
06/11/2002	--	QC	4614/0404
10/01/1980	\$35,900	--	2259/0198
11/01/1977	\$21,500	--	1810/0221
05/01/1974	--	QC	1441/0108

BUILDINGS

PROPERTY DATA CARD #1

Building Use: 0110 - SINGLE FAMILY RESIDENCE

Materials		Details	
Exterior Wall:	STUCCO	Year Built	1951
Frame:	MASNRCONC	Story Height	8
Roof:	ASPH/ASB SHNGL	Floors	1
Roof Structure:	HIP/GABLE	Residential Units	1
		Commercial Units	0
Sub-Areas		Extra Features	
Base Area (1st)	1,040	Covered Patio	272
Open Porch	42		
Utility Room	60		
Total Base Area	1,040		
Total Sub Area	1,142		

**CODE ENFORCEMENT BOARD
CITY OF COCOA, FLORIDA
CASE NO. 23-64**

THE CITY OF COCOA

A Florida Municipal Corporation,
Complainant,

vs.

FAIR PRICE PROPERTIES LLC

Owners of the Property located at:
309 N GEORGIA AVE
COCOA FL 32922
Parcel ID: 24-36-29-78-*11

Respondent,

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

THIS CAUSE, having come for consideration, after being duly noticed, before the Code Enforcement Board of the City of Cocoa, Florida, on **October 19, 2023** to determine whether any violations of the City of Cocoa Code of Ordinances exist or existed on the property. The Board, having heard the arguments of the parties and the evidence presented and having reviewed the record and being otherwise fully advised, makes the following Findings of Fact, Conclusions of Law and Order as set forth herein.

Findings of Fact and Conclusions of Law

Based upon the evidence and testimony presented at this hearing, the Code Enforcement Board finds: That a code enforcement officer of the City of Cocoa determined the Subject Property was in violation of:

- ☒ **XXII. Permit Required App A Art. XV Sec 2 (a) \$25.00**
- ☒ **XXIX. Roofs & Drainage, Ch 6 Sec. 6-1003 (g) \$ 25.00**
- ☒ **XXVI. Premises Identification Ch 6 Sec. 6-1003 (c) \$ 25.00**
- ☐ **Select Code Violation \$ Select One**

Of the City Code, and issued a Notice of Violation to Respondent giving a reasonable time to correct the violation(s).

1. That Respondent failed to correct such violation(s) within the reasonable time period provided in the Notice of Violation. Pursuant to section 162.06, Florida Statutes, this hearing was scheduled. Proper written notice of this hearing was given to Respondent.

2. That based on the testimony and evidence presented, including Staff's presentation, the Board finds Respondent is in violation of the following violations of the City Code:

- ☒ **XXII. Permit Required App A Art. XV Sec 2 (a) \$25.00**
- ☒ **XXIX. Roofs & Drainage, Ch 6 Sec. 6-1003 (g) \$ 25.00**
- ☒ **XXVI. Premises Identification Ch 6 Sec. 6-1003 (c) \$ 25.00**
- ☐ **Select Code Violation \$ Select One**

Order

BASED UPON THE FOREGOING FACTS AND CONCLUSIONS OF LAW, IT IS HEREBY ORDERED:

1. Respondent shall be given until November 18, 2023 to correct all violations set forth herein on the property.

2. If Respondent fails to correct all cited violations within the time period set forth herein, the Code Enforcement Officer shall schedule this Case to appear for a compliance hearing before the Code Enforcement Board at a date to be determined, where the sole issue to be considered is whether compliance has been achieved on all violations. Respondent will be given an opportunity to appear and present evidence regarding compliance.

3. Upon a finding by the Code Enforcement Board that the property was not brought into compliance by the date set forth in this Order, a fine in the amount of:

- ☒ XXII. Permit Required App A Art. XV Sec 2 (a) \$25.00
- ☐ XXIX. Roofs & Drainage, Ch 6 Sec. 6-1003 (g) \$ 25.00
- ☒ XXVI. Premises Identification Ch 6 Sec. 6-1003 (c) \$ 25.00
- ☐ Select Code Violation \$ Select One

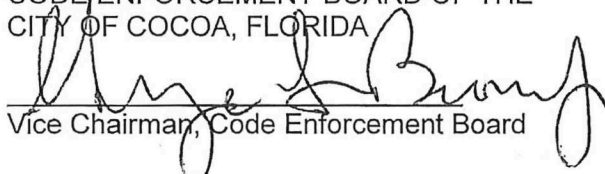
Per day may be imposed for each and every day any of the violations continue past the above-stated date ordered for compliance by the Board and the daily fines shall continue to run until the violation is corrected and full compliance is confirmed by the Code Enforcement Officer. Respondent shall be responsible to immediately notify the Code Enforcement Officer if the property has been brought into compliance.

4. If the Board finds Respondent failed to comply with all violations by the date set forth herein, an Order Imposing Fine shall be entered and a certified copy of said Order may be recorded in the public records of Brevard County, Florida, which shall serve as a lien against the property.

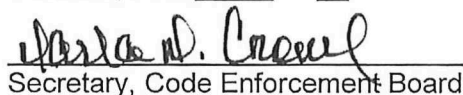
Once the violations have been corrected, any of the same violations by Respondent within five years may constitute a repeat violation where the Board may impose a fine of up to \$500.00 per day for each day the violation exists beginning the day the repeat violation is first observed by the Code Enforcement Officer.

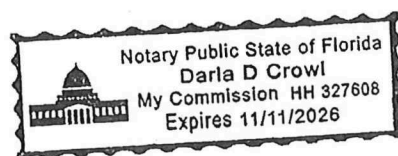
DONE AND ORDERED THIS 19 DAY OF October 2023.

CODE ENFORCEMENT BOARD OF THE
CITY OF COCOA, FLORIDA


Vice Chairman, Code Enforcement Board

I CERTIFY THAT A COPY OF THIS ORDER was furnished to Respondent(s) at FAIR PRICE PROPERTIES LLC mailing address is 410 S WARE BLVD STE 607 TAMPA, FL 33619 this 19 day of October, 2023 via ___hand delivery/___certified mail/___U.S. mail/___posting (mark all that apply).


Secretary, Code Enforcement Board



COCOA CITY
65 STONE ST

COCOA, FL 32922

**CODE ENFORCEMENT BOARD
CITY OF COCOA, FLORIDA
CASE NO. 23-64
1/18/2024**

CFN 2024028905, OR BK 9990 PAGE 1928,
Recorded 02/12/2024 at 03:20 PM, Rachel M. Sadoff,
Clerk of Courts, Brevard County
Pgs:1

E

THE CITY OF COCOA
A Florida Municipal Corporation

Complainant,

vs.

FAIR PRICE PROPERTIES LLC
Owners of the Property located at:
309 N GEORGIA AVE
Cocoa FL 32922

Parcel ID: 24-36-29-78-*-11

Respondent,

ORDER IMPOSING ADMINISTRATIVE FINE/LIEN

THIS CAUSE, having come for consideration, after being duly noticed, before the Code Enforcement Board of the City of Cocoa, Florida, on 1/18/2024 to determine whether any violations of the City of Cocoa Code of Ordinances existed on the property. The Board, having heard the arguments of the parties and the evidence presented and having reviewed the record and being otherwise fully advised, issued the Findings of Fact, Conclusions of Law and Order. The Order required the Respondent to come into compliance by 11/18/2023

At a duly noticed Compliance Hearing of Code Enforcement Board the Respondent was found in non-compliance of the Board Order. It is hereby Ordered that the City of Cocoa shall impose a fine in the amount of **\$75.00** per day until the violation is corrected and full compliance is confirmed by the Code Enforcement Officer.

This Order shall be recorded in the public records for Brevard County, Florida, which shall serve as a lien against and upon any real or personal property owned by the Respondent pursuant to Section 162.08 and 162.09, Florida Statutes.

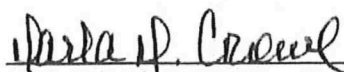
DONE AND ORDERED at Cocoa, Florida, this 18, day of January, 2024

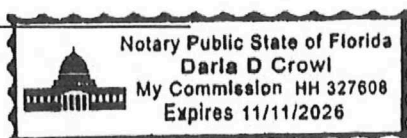
CODE ENFORCEMENT BOARD OF THE CITY OF COCOA, FLORIDA


George Brown, Chairman

CERTIFICATION:
State of Florida, County of Brevard

I hereby certify that this is an Original Copy of the Order of the Code Enforcement Board that was acknowledged before me this 18 day of January, 2024, by George Brown, Chairman of the City of Cocoa Code Enforcement Board.


Notary Public Signature



CODE BOARD AGENDA ITEM

Memo Date: 05/28/2025
Agenda Date: 6/19/2025
Prepared By: Thomas Wilkinson, Code Enforcement Manager
Through: Thomas Wilkinson, Code Enforcement Manager
Charlene Neuterman, Community Services Director
Requested Action: The staff's recommendation is that the fine / lien be reduced per the applicant's request to **\$10,000.00**, Which will cover the the cost of staff to prosecute this case.

BACKGROUND:

Lien Reduction Request For **1050 W King St.**
Reference Case # **CE22-828**

The Code Enforcement Board held a public hearing on **May 18, 2023**, at which time the Board found the owner, **Floor Suppliers Inc.** in violation of the following:

- City Code, Chapter 6, Sec. 6-900 (b) Accumulation of Trash & Litter
- City Code, Chapter 6, Sec. 6-1003 (a) Exterior General Condition
- City Code, Chapter 6, Sec. 6-900 (b5) Boarded Up Buildings
- City Code, Chapter 6, Sec. 6-1003 (g) Roofs & Drainage

The Code Enforcement Board provided the owners sufficient time of **July 17, 2023**, to correct said violation(s). Therefore, consistent with the Code Enforcement Board's Order, a Non-Compliance Hearing was held on **August 17, 2023**.

The lien ran at **\$100.00** per day from **July 17, 2023**, until compliance was achieved on **March 13, 2025**. Code records show the case was closed, leaving a fine of **\$60,520.00**. The property owner (**Floor Suppliers Inc.**) is requesting that the lien be reduced to the amount of **\$10,000.00**.

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; **Yes**
- Applicant resides at the property: **No**
- The number of violations related to the subject lien; **Four**
- Number of Inspections performed: **20** 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, June 19, 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 **\$1,138,600.00** according to the Brevard County Property Appraiser as a **Retail Store**.

The staff's recommendation is that the fine / lien be reduced to **\$2,433.54**, 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.

PRIORITY AREA CONNECTION:

Public Safety/Community Standards

BUDGETARY IMPACT:

PREVIOUS ACTION:

The Code Enforcement Board held a public hearing on **May 18, 2023**, at which time the Board found the owner, **Floor Suppliers Inc.** in violation of city codes.

RECOMMENDED MOTION:

The staff's recommendation is that the fine / lien be reduced per the applicant's request to **\$10,000.00**, Which will cover the the cost of staff to prosecute this case.



Joe 321-831-3088

Application # CE - _____

LIEN REDUCTION APPLICATION

Cocoa Police Department
Code Enforcement Division
1226 W King Street
Cocoa, Florida 32922
Phone: (321) 433-8508

This application must be completed entirely. The property must be in compliance per the City Code Section 6-707(d), if the property does not meet the guidelines of the City Code the Lien Reduction Application will not be scheduled for a hearing before the Code Enforcement Board.

This form is divided into steps which will help you prepare your request, provide the necessary information, and prepare for the Code Enforcement Board and City Council hearing.

For Office Use Only - Date Received

Stamp Only When Application is Fully Complete

Please TYPE or PRINT this application neatly.

1. Date: 03-14-2025

2. Applicant Information: * NOTE: Applicant is the main contact, who must attend the meeting.

Company (if applicable): THE FLOOR SUPPLIERS INC

Name: SHIVA ROOPNARINE

Mailing Address: 7070 INDUSTRIAL ROAD

City: WEST MELBOURNE State: FL Zip Code: 32904

Phone #: 321-914-3982

Fax #: _____

Mobile #: 321-914-6114

E-mail: shiva@roopnarines.com

3. Property Owner Information:

* Check here if same as Applicant → ☒

* If more than one owner, attach additional sheet with names and addresses.

Company (if applicable): _____

Name: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Phone #: _____

Fax #: _____

Mobile #: _____

E-mail: _____

4. Information for property on which lien occurs:

Street Address and Location: 1050 W. KING STREET COCOA FL 32922

Parcel ID:

24-36-32-04-000000-0-0002-02

0002-02

Tax Account Number:

2443751

Existing Use(s) on Property: STORAGE

Proposed Use(s) on Property: STORAGE

(If residential – (circle one) owner occupied or rental), if rental does property owner anticipate accepting any state or federal rental subsidies?

Nature of Violation(s): EXTERIOR GENERAL CONDITION, ROOFS DRAINAGE

Date Fine or Lien Imposed: 08/17/2023
per day

Amount of Fine: \$59,010.00

Have the violation(s) on the subject property been corrected: (Yes) No (Circle one)

Date upon which the subject property was brought into compliance: 03/01/2025

5. Please provide the following information:

Code enforcement case number: 22-0828

Were you the property owner at the time the lien was imposed? (Yes) No (Circle one) If so, how many days did it take from the board order to the date compliance was achieved? _____

If you were not the property at the time the violation occurred, were you aware of the lien when you purchased the property? Yes / No / NA (Circle one) If the property was not in compliance at the time you purchased the property how many days from the time of purchase did it take for you to come into compliance? _____

Did you receive the Notice of Violation issued by the Code Enforcement Division: (Yes) No (Circle one)

Did you receive the Finding of Facts issued by the Code Enforcement Board: (Yes) No (Circle one)

The factual basis upon which the application for reduction of the lien should be granted:

WE WERE WAITING INSURANCE SETTLEMENT TO
MAKE THE NECESSARY REPAIRS

The reasons, if any, compliance was not obtained prior to the order of penalty or fine being recorded:

WAITING ON INSURANCE SETTLEMENT FUNDS TO MAKE
COMPLETE REPAIRS

Amount you are requesting that the lien be reduced to: \$ 10,000

Please provide any other information deemed pertinent to this request, including but not limited to the circumstances that exist which would warrant the reduction or forgiveness of the penalty or fine. Include documentation of any financial investment made to physically improve the property:

WE HAD TO INVEST A SIGNIFICANT AMOUNT OF FUNDS
TO GET THE PROPERTY IN COMPLIANCE. FUNDS WERE
NOT AVAILABLE AT THAT TIME

Are there any other properties within the jurisdictional limits of the City of Cocoa owned by the applicant and/or owners of the subject property on which code violations have been alleged, of which the case is still active, or a Finding of Facts has been entered by the Code Enforcement Board, if so please provide the address, the nature of violation and the status of such:

NO

6. Please submit the following items in order complete the application:

- a. ☒ Notarized application.
- b. ☒ Reimbursement to City for recording costs at time of application. Pursuant to Section 6-707(c), Code of the City of Cocoa, at the time of application, payment to the city in the amount necessary to reimburse the City for its costs associated with processing and recording the order imposing a penalty or fine and the requested satisfaction or release of lien. Please make checks payable to the 'City of Cocoa' and submit payment ONLY to the Community Services Department. Please note that these costs are non-refundable without regard for the final disposition of the application for satisfaction or release of lien. The application fee is \$20.00 and will need to be paid at the time the application is submitted.
- c. ☐ Letter of authorization. If the applicant is not the property owner, a notarized letter of authorization or agent affidavit is required, unless the applicant is the Attorney of the owner. Each property owner must complete a separate authorization form or other suitable documentation to allow the agent to act upon his/her behalf.
- d. ☐ Corporate documents. If the applicant/owner is representing a company, articles of incorporation which show the applicant/owner is authorized to represent the company is required. A data record printout from the Florida Department of State, Division of Corporations website may also be provided (<http://www.sunbiz.org/corpweb/inquiry/search.html>).
- e. ☐ Additional information (optional). Submit any information that may be helpful in understanding the request. This may include photos, sketches, elevations, or letters from adjoining property owners.

7. **Application Filing Procedure.** This application, together with all required exhibits and attachments, shall be completed and filed with the Code Enforcement Division by the third Friday of each month at 5:00 pm in order to be scheduled for public hearing for the following month.

8. **Procedure per City Code.** Section 6-707 states the City Lien Reduction rules and procedures for applying for a reduction. It is the applicant's responsibility to read and understand the rules and procedures that are located on page 6 of the Lien Reduction Application
9. **Board Action.** An Inspection of the property must be performed to be scheduled at the Code Board. Following a presentation by staff and testimony offered by the applicant, the Code Enforcement Board will formulate a recommendation to City Council.
10. **City Council Action.** An Inspection of the property must be performed to be scheduled before council. Following the Code Enforcement Board making a recommendation to the City Council, staff will schedule the item for the next available City Council regular meeting.
11. **Inspections.** I agree to allow Code Enforcement to inspect my property and give consent to walk the property before proceeding with this reduction ☒ YES ☐ NO

Signature below will also show that consent to inspect was given by the property owner or representative.

12. Signatures and Notarization.

STATE OF FLORIDA COUNTY OF ORANGE I, SHIVA ROOPNARINE
being first duly sworn, depose and say that:

- ☒ I am the applicant, or if corporation, I am the officer of the corporation authorized to act on this request.
- ☐ I am the legal representative of the applicant of this application and a notarized Letter of Authorization form or agent affidavit accompanies this application giving written, unless the applicant is the Attorney representing the owner.

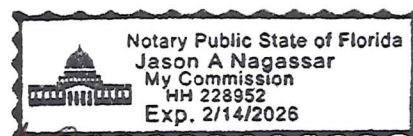
I hereby certify that I have read, completed and understand this Application and understand that if my application and all associated attachments are not complete and accurate in all respects, the application will not be scheduled for a public hearing. I further understand that this application must be complete and accurate prior to the advertising of a public hearing.

[Signature]
(APPLICANT SIGNATURE)
Public)

JASON A. NAGASSAR
(Print, Type, or Stamp Commissioned Name of Notary

Personally Known ☐ OR Produced Identification ☐

Type of I.D. Produced FLORIDA DRIVER'S LICENSE



[Signature]
(NOTARY PUBLIC SIGNATURE)

STATE OF FLORIDA, COUNTY OF BREVARD

Sworn and subscribed to before me this 14th day of MARCH, 20 25

Public Hearing Process Information.

It is the responsibility of the Applicant to read the Lien Reduction Application to its entirety. Please keep this sheet from your application for your records. At any time through this process you have any questions or concerns, please contact the Code Enforcement Division at 321-433-8508.

1. **Public hearing date and location.** All regularly scheduled hearings are held on the third Thursday of each month at 6:00pm in the Cocoa City Hall Council Chambers located at 65 Stone Street, Cocoa, Florida unless otherwise notified.
2. **Presence required at the public hearings.** The applicant or his/her representative must be present to answer any questions concerning the request. If there are extenuating circumstances why the applicant or his/her representative cannot attend, he or she must notify the City in writing prior to the public hearing.
3. **Preparing for public hearing.** It is the applicant's responsibility to research and know all laws that may be applicable and may affect the outcome of any decision on the applicant's request.
4. **Format of public hearing.** The public hearing before the Code Enforcement Board is quasi-judicial in nature. *State and local law strictly prohibits applicants and/or interested parties from participating in ex-parte communications with Board members in person, by phone, e-mail, or in writing before the application is considered at a public hearing.* Applicants are encouraged to review and copy the quasi-judicial rules and procedures used by the Code Enforcement Board before the public hearing date. A copy may be obtained from the City Clerk's Office.
5. **Exhibits at public hearing.** If photographs, documents, maps or other materials are provided to the Board as evidence at the public hearing, the applicant must provide a copy to the Recording Secretary, City Staff, and the Code Enforcement Board for examination. One copy of any exhibits and/or evidence shall be provided, by law those instruments automatically become part of the public records and cannot be returned to the applicant.
6. **Witnesses at public hearing.** For the purposes of making a decision on the application, the Board shall only consider testimony of qualified witnesses. A witness is determined by the Board and is generally based on:
 - a. The witness has personal knowledge of the fact in which the witness will testify; and/or
 - b. In the case of testimony consisting of opinions or inferences, the testimony is qualified as the following:
 1. Layman witness: Testimony of a witness other than an expert witness is qualified only if:
 - The witness can readily, and with equal accuracy and adequacy, communicate what he or she perceived to the Board without testifying in the form of opinions or inferences.
 - The opinions and inferences do not require any special knowledge, skill experience or training.
 2. Expert witness. Testimony of an expert witness is qualified only if:
 - The subject matter is proper for expert testimony because scientific, technical, or other specialized skill will help the Board understand the evidence being presented, or helps establish a fact in issue.
 - The witness is adequately qualified to express an opinion on the matter.

Sec. 6-707. - Satisfaction or release of code enforcement lien. (NOTE: this is not the code section in its entirety)

- (b) **Application.** The application shall be executed under oath and sworn to in the presence of a notary public.
- (c) **Reimbursement to city for recording costs at time of application.** The violator shall submit, at the time of application, payment to the city in the amount necessary to reimburse the city for its costs associated with recording the order imposing a penalty or fine and the requested satisfaction or release of lien. These costs are non-refundable, without regard for the final disposition of the application for satisfaction or release of lien.
- (d) **Processing of application by Code Enforcement Manager or Chief of Police.** Upon receipt of the application for satisfaction or release of lien and payment provided above, the community development director shall confirm through the code enforcement department that the violation which resulted in the order imposing penalty or fine has been brought into compliance. If the violation has been brought into compliance and there is no current code violation upon the property in question, the community development director shall place the application upon the agenda of the next meeting of the code enforcement board.
- (e) **Code enforcement board hearing.** At the hearing before the code enforcement board, the board shall review and consider the application for satisfaction or release of lien, provide the violator with an opportunity to address the board regarding the application for satisfaction or release of lien, and to take the testimony of other interested parties, including but not limited to city staff.

Review and recommendation. Upon review of the application and any testimony presented, the code enforcement board shall recommend to the city council approval, approval with conditions, or denial of the application for satisfaction or release of lien.

The code enforcement board, in determining its recommendation, shall consider the following factors:

- (1) The gravity of the violation;
 - (2) The time in which it took the violator to come into compliance;
 - (3) The accrued amount of the code enforcement fine or lien;
 - (4) Any previous or subsequent code violations;
 - (5) Any financial hardship; and
 - (6) Any other mitigating circumstance which may warrant the reduction or satisfaction of the penalty or fine.
- (f) **Presentation to city council.** After a recommendation has been rendered by the code enforcement board, the community development director shall place the application for satisfaction or release of lien upon the agenda of the next regularly scheduled city council meeting. The city council may take action solely based upon the sworn application and recommendation of the code enforcement board; or it may, in its discretion, provide the violator with an opportunity to address the council in regard to the application for satisfaction or release of lien.
- City Council action. The city council may approve, approve with conditions, or deny the application to satisfy or release of lien. If the city council approves the application to satisfy or release the lien and the approval is conditioned upon the violator paying a reduced penalty, fine, or any other condition, the satisfaction or release of lien shall not be prepared or recorded until the condition(s) placed by the council have been satisfied.
- (g) **Compliance with city council conditions.** The violator shall have thirty (30) days in which to comply with the conditions imposed by the city council. Failure of the violator to comply will result in the automatic denial of the application for satisfaction or release of lien.
 - (h) **Effect of denial on application for subsequent lien reduction or forgiveness.** If the application is denied or if the application is automatically denied due to the failure of the violator to comply with the conditions imposed by the city council, the violator shall thereafter be barred from applying for a subsequent reduction or forgiveness of the lien for a period of one (1) year from the date of denial. During the one-year period, the lien may only be satisfied and released upon full payment of the fine or penalty imposed in accordance with this chapter.

(Ord. No. 16-06, § 2, 5-9-06)

CITY OF COCOA
CODE ENFORCEMENT
STAFF REPORT

Lien Reduction Request For **1050 W King St.**
Reference Case # **CE22-828**

The Code Enforcement Board held a public hearing on **May 18, 2023**, at which time the Board found the owner, **Floor Suppliers Inc.** in violation of the following:

- City Code, Chapter 6, Sec 6-900 (b) Accumulation of Trash & Litter
- City Code, Chapter 6, Sec 6-1003 (a) Exterior General Condition
- City Code, Chapter 6, Sec 6-900 (b5) Boarded Up Buildings
- City Code, Chapter 6, Sec 6-1003 (g) Roofs & Drainage

The Code Enforcement Board provided the owners sufficient time of **July 17, 2023**, to correct said violation(s). Therefore, consistent with the Code Enforcement Board's Order a Non-Compliance Hearing was held on **August 17, 2023**.

The lien ran at **\$100.00** per day from **July 17, 2023** until compliance was achieved on **March 13, 2025**. Code records show the case was closed leaving a fine of **\$60,520.00**. The property owner (**Floor Suppliers Inc.**) is requesting that the lien be reduced to the amount of **\$10,000.00**

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; **Yes**
- Applicant resides at the property: **No**
- The number of violations related to the subject lien; **Four**
- Number of Inspections performed: **20**
- 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, June 19, 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 **\$1,138,600.00** according to the Brevard County Property Appraiser as a **Retail Store**.

The staff's recommendation is that the fine / lien be reduced to **\$2,433.54** 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.

**Cocoa Community Services
Code Enforcement Division
Affidavit for Cost Reimbursement of Code Enforcement Case**

Case#: CE22-828

Date: 06/19/2025

Floor Suppliers Inc.

Site Address: 1050 W King St.

Cocoa Code Enforcement has incurred actual costs, as defined in F.S.S 162.09 for cost by the City in Prosecuting this case.

A. Salaries of Code Enforcement staff. (Hourly rate: Officer-\$35.06, Coordinator-\$36.06, Manager-\$48.54, Chief-\$69.71 & City Attorney-\$150.00)

	Officer/Manager	# of Inspections	Hours	Rate	Total
1	Code Officer	20	0.75	\$35.06	\$525.90
2	Code Manager	4	0.75	\$48.54	\$145.62
3					
				Total A1	\$671.52

	Officer/Manager	Office Duties	Hours	Rate	Total
1	Code Officer	20	0.5	35.06	\$701.20
2	Code Manager	4	0.5	48.54	\$194.16
3					
				Total A2	\$895.36

	Supporting Staff	Duty	Hours	Rate	Total
1	Code Coordinator	Case Duties	6	\$36.06	\$216.36
2	City Attorney	Case Duties	3	\$150.00	\$450.00
3	Chief	Board Hearings	0	\$69.71	\$0.00
4					
5					
				Total A3	\$666.36

B. Expenditures - Actual expenses incurred during the process of the Code Case.

	Item	Quantity	Amount	Total
1	Documents per Sheet	350	\$0.35	\$122.50
2	Large Envelope	25	\$0.64	\$16.00
3	Standard Envelope	12	\$0.10	\$1.20
4	Color Photo Prints	20	\$0.55	\$11.00
5	Standard Mail	6	\$0.55	\$3.30
6	Certified Mail	5	\$5.26	\$26.30
7	Recording Fees	2	\$10.00	\$20.00
8				
9				
			Total B	\$200.30

C. Total Amount of Cost (A1+A2+A3+B):

\$2,433.54

CODE ENFORCEMENT BOARD
CITY OF COCOA, FLORIDA
CASE NO. 22-828
8/17/2023

CFN 2023187110, OR BK 9877 PAGE 747,
Recorded 08/31/2023 at 03:11 PM, Rachel M. Sadoff,
Clerk of Courts, Brevard County
Pgs:1

THE CITY OF COCOA
A Florida Municipal Corporation

Complainant,

vs.

FLOOR SUPPLIERS INC, THE
Owners of the Property located at:
1050 W KING ST
Cocoa FL 32922

Parcel ID: 24-36-32-04-*-2.02

Respondent,
_____ /

ORDER IMPOSING ADMINISTRATIVE FINE/LIEN

THIS CAUSE, having come for consideration, after being duly noticed, before the Code Enforcement Board of the City of Cocoa, Florida, on 8/17/2023 to determine whether any violations of the City of Cocoa Code of Ordinances existed on the property. The Board, having heard the arguments of the parties and the evidence presented and having reviewed the record and being otherwise fully advised, issued the Findings of Fact, Conclusions of Law and Order. The Order required the Respondent to come into compliance by 7/17/2023

At a duly noticed Compliance Hearing of Code Enforcement Board the Respondent was found in non-compliance of the Board Order. It is hereby Ordered that the City of Cocoa shall impose a fine in the amount of **\$100.00** per day until the violation is corrected and full compliance is confirmed by the Code Enforcement Officer.

This Order shall be recorded in the public records for Brevard County, Florida, which shall serve as a lien against and upon any real or personal property owned by the Respondent pursuant to Section 162.08 and 162.09, Florida Statutes.

DONE AND ORDERED at Cocoa, Florida, this 17, day of August, 2023

CODE ENFORCEMENT BOARD OF THE CITY OF COCOA, FLORIDA



Lloyd Roberts, Chairman

COCOA CITY
65 STONE ST

COCOA, FL 32922-7807

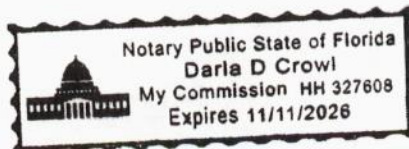


CERTIFICATION:
State of Florida, County of Brevard

I hereby certify that this is an Original Copy of the Order of the Code Enforcement Board that was acknowledged before me this 17 day of August, 2023, by Lloyd Roberts, Chairman of the City of Cocoa Code Enforcement Board.



Notary Public Signature



1050 KING ST.

**CODE ENFORCEMENT BOARD
CITY OF COCOA, FLORIDA
CASE NO. 22-0828**

THE CITY OF COCOA

A Florida Municipal Corporation,
Complainant,

vs.

FLOOR SUPPLIERS INC, THE
Owners of the Property located at:
1050 W KING ST
Cocoa, FL 32922
Parcel ID: 24-36-32-04-*-2.02

Respondent,

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

THIS CAUSE, having come for consideration, after being duly noticed, before the Code Enforcement Board of the City of Cocoa, Florida, on May 18, 2023 to determine whether any violations of the City of Cocoa Code of Ordinances exist or existed on the property. The Board, having heard the arguments of the parties and the evidence presented and having reviewed the record and being otherwise fully advised, makes the following Findings of Fact, Conclusions of Law and Order as set forth herein.

Findings of Fact and Conclusions of Law

Based upon the evidence and testimony presented at this hearing, the Code Enforcement Board finds: That a code enforcement officer of the City of Cocoa determined the Subject Property was in violation of:

- ☒ *II. Accum. Of Trash and Litter Ch 6 Sec. 6-900 (b)(1)a-d*
- ☒ *IX. Exterior General Condition Ch 6 Sec. 6-1003 (a)*
- ☒ *IV. Boarded Up Buildings Ch. 6 Sec. 6-900 (b)(5)*
- ☒ *XXIX. Roofs & Drainage, Ch 6 Sec. 6-1003 (g)*

of the City Code, and issued a Notice of Violation to Respondent giving a reasonable time to correct the violation(s).

1. That Respondent failed to correct such violation(s) within the reasonable time period provided in the Notice of Violation. Pursuant to section 162.06, Florida Statutes, this hearing was scheduled. Proper written notice of this hearing was given to Respondent.

2. That based on the testimony and evidence presented, including Staff's presentation, the Board finds Respondent is in violation of the following violations of the City Code:

- ☒ II. Accum. Of Trash and Litter Ch 6 Sec. 6-900 (b)(1)a-d
- ☒ IX. Exterior General Condition Ch 6 Sec. 6-1003 (a)
- ☒ IV. Boarded Up Buildings Ch. 6 Sec. 6-900 (b)(5)
- ☒ XXIX. Roofs & Drainage, Ch 6 Sec. 6-1003 (g)

Order

BASED UPON THE FOREGOING FACTS AND CONCLUSIONS OF LAW, IT IS HEREBY ORDERED:

1. Respondent shall be given until July 17, 2023 to correct all violations set forth herein on the property.

2. If Respondent fails to correct all cited violations within the time period set forth herein, the Code Enforcement Officer shall schedule this Case to appear for a compliance hearing before the Code Enforcement Board at a date to be determined, where the sole issue to be considered is whether compliance has been achieved on all violations. Respondent will be given an opportunity to appear and present evidence regarding compliance.

3. Upon a finding by the Code Enforcement Board that the property was not brought into compliance by the date set forth in this Order, a fine in the amount of **\$100.00** per day may be imposed for each and every day any of the violations continue past the above-stated date ordered for compliance by the Board and the daily fines shall continue to run until the violation is corrected and full compliance is confirmed by the Code Enforcement Officer. Respondent shall be responsible to immediately notify the Code Enforcement Officer if the property has been brought into compliance.

4. If the Board finds Respondent failed to comply with all violations by the date set forth herein, an Order Imposing Fine shall be entered and a certified copy of said Order may be recorded in the public records of Brevard County, Florida, which shall serve as a lien against the property.

Once the violations have been corrected, any of the same violations by Respondent within five years may constitute a repeat violation where the Board may impose a fine of up to \$500.00 per day for each day the violation exists beginning the day the repeat violation is first observed by the Code Enforcement Officer.

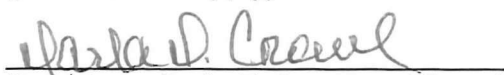
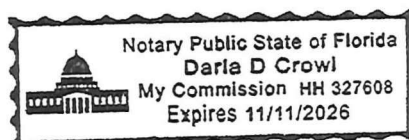
DONE AND ORDERED THIS 18 DAY OF May, 2023.

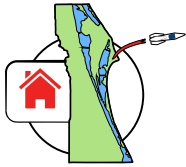
CODE ENFORCEMENT BOARD OF THE
CITY OF COCOA, FLORIDA



Chairman, Code Enforcement Board

I CERTIFY THAT A COPY OF THIS ORDER was furnished to Respondent(s) at FLOOR SUPPLIERS INC, THE, whose mailing address is 7070 INDUSTRIAL RD WEST MELBOURNE FL 32904 this 18 day of May, 2023 via ___hand delivery/___certified mail/___U.S. mail/___posting (mark all that apply).


Secretary, Code Enforcement Board

**REAL PROPERTY DETAILS**

Account 2443751 - Roll Year 2024

Owners	FLOOR SUPPLIERS INC, THE
Mailing Address	7070 INDUSTRIAL RD WEST MELBOURNE FL 32904
Site Address	1050 W KING ST COCOA FL 32922
Parcel ID	24-36-32-04*-2.02
Taxing District	23D0 - COCOA
Exemptions	NONE
Property Use	1100 - RETAIL STORE - 1 UNIT
Total Acres	0.98
Site Code	0310 - STATE ROAD 520
Plat Book/Page	0008/0043
Subdivision	VIRGINIA PARK RESUBD
Land Description	VIRGINIA PARK RESUBD PART OF TRACT 2 AS DESC IN ORB 3459 PG 1404

**VALUE SUMMARY**

Category	2024	2023	2022
Market Value	\$1,138,600	\$802,000	\$704,560
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$852,510	\$775,010	\$704,560
Assessed Value School	\$1,138,600	\$802,000	\$704,560
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$852,510	\$775,010	\$704,560
Taxable Value School	\$1,138,600	\$802,000	\$704,560

SALES / TRANSFERS

Date	Price	Type	Instrument
02/14/2014	\$450,000	WD	7080/0773
04/12/2005	\$620,000	WD	5454/1670
03/12/2004	--	QC	5302/1670
06/26/2003	--	QC	5045/1052
12/01/1994	--	QC	3459/1404

BUILDINGS**PROPERTY DATA CARD #1****Building Use:** 1100 - RETAIL STORE - 1 UNIT

Materials		Details	
Exterior Wall:	PAINTED EXTERIOR , STUCCO	Year Built	1956
Frame:	MASNRYCONC	Story Height	13
Roof:	ENAMEL METAL	Floors	1
Roof Structure:	BAR JOIST RIGID	Residential Units	
		Commercial Units	1
Sub-Areas		Extra Features	
Base Area (1st)	12,519	Paving - Asphalt	15,226
Open Porch	811	Paving - Concrete	544
Total Base Area	12,519		
Total Sub Area	13,330		

PROPERTY DATA CARD #2**Building Use:** 4800 - WAREHOUSING, DISTRIBUTION AND TRUCKING TERMINAL, VAN & STORAGE WAREHOUSING

Materials		Details	
Exterior Wall:	ENAMEL STEEL , STUCCO	Year Built	1978
Frame:	METALFRAME , MASNRYCONC	Story Height	16
Roof:	ENAMEL METAL , ASPH/ASB SHNGL	Floors	1
Roof Structure:	STEEL TRUSS RIGID , WOOD TRUSS	Residential Units	
		Commercial Units	1
Sub-Areas		Extra Features	
Base Area (1st)	7,648	Covered Patio	25
Open Porch	25		

Sub-Areas	
Total Base Area	7,648
Total Sub Area	7,673

CODE BOARD AGENDA ITEM

Memo Date: 05/28/2025
Agenda Date: 6/19/2025
Prepared By: Thomas Wilkinson, Code Enforcement Manager
Through: Charlene Neuterman, Community Services Director
Thomas Wilkinson, Code Enforcement Manager
Requested Action: The staff's recommendation is that the fine / lien be reduced to **\$3,381.43**, 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.

BACKGROUND:

Lien Reduction Request For **1723 Dixon Blvd.**
Reference Case # **CE17-0029**

The Code Enforcement Board held a public hearing on **March 16, 2017**, at which time the Board found the owner, **Allen Condominium Association Inc.** in violation of the following:

- City Code, Chapter 6, Sec. 6-1003 (b) Protective Treatment

(peeling and flaking paint)

- City Code, Chapter 6, Sec. 6-900 (b4) Maintenance of Structure & Grounds

The Code Enforcement Board provided the owners sufficient time of **April 16, 2017**, to correct said violation(s). Therefore, consistent with the Code Enforcement Board's Order, a Non-Compliance Hearing was held on **April 20, 2017**.

The lien ran at **\$250.00** per day from **April 16, 2017**, until compliance was achieved on **December 1, 2020**. Code records show the case was closed, leaving a fine of **\$331,270.00**. The property owner (**Allen Condominium Association Inc.**) is requesting that the lien be reduced to the amount of **the city cost**.

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; **Yes**
- Applicant resides at the property: **No**
- The number of violations related to the subject lien; **Two**
- Number of Inspections performed: **24**
- 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, June 19, 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 is not available at this time due to the property being divided up into separate units. According to the Brevard County Property Appraiser, the use is listed as **Condominiums**.

The staff's recommendation is that the fine / lien be reduced to **\$3,381.43**, 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.

PRIORITY AREA CONNECTION:

Public Safety/Community Standards

BUDGETARY IMPACT:

Budgeted? Yes/No

If not budgeted, is amendment / transfer attached?

Source/Use of Funds

Account Number

Amount

If a P.O. Change Order is involved, please complete the following:

Change Order Amount: \$

Original Purchase Order Amount: \$

For this Agenda Item note Prior Change Order Information:

Total Number of change orders to date:

Total amount in change orders to date: \$

PREVIOUS ACTION:

The Code Enforcement Board held a public hearing on **March 16, 2017**, at which time the Board found the owner, **Allen Condominium Association Inc.** in violation of city codes.

RECOMMENDED MOTION:

The staff's recommendation is that the fine / lien be reduced to **\$3,381.43**, 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.



Application # CE -

17 - 29

LIEN REDUCTION APPLICATION

Cocoa Police Department
Code Enforcement Division
1226 W King Street
Cocoa, Florida 32922
Phone; (321) 433-8508

This application must be completed entirely. The property must be in compliance per the City Code Section 6-707(d), if the property does not meet the guidelines of the City Code the Lien Reduction Application will not be scheduled for a hearing before the Code Enforcement Board.

This form is divided into steps which will help you prepare your request, provide the necessary information, and prepare for the Code Enforcement Board and City Council hearing.

For Office Use Only - Date Received

2/21/25

Stamp Only When Application is Fully Complete

Please TYPE or PRINT this application neatly.

1. Date: 2/20/25

2. Applicant Information: * NOTE: Applicant is the main contact, who must attend the meeting.

Company (if applicable): Allen Condominium

Name: Lissette Mendoza

Mailing Address: 18001 Old Cutler Rd Suite 552

City: Palmetto Bay State: FL Zip Code: 33157

Phone #: 786-347-2758

Fax #:

Mobile #: 786-597-1024

E-mail: lmendoza@desolpm.com

3. Property Owner Information:

* Check here if same as Applicant → ☐

* If more than one owner, attach additional sheet with names and addresses.

Company (if applicable): Allen Condominium

Name:

Mailing Address: 1711 Dixon Blvd (Management Office)

City: COCOA State: FL Zip Code: 32922

Phone #: 321-636-1258

Fax #:

Mobile #:

E-mail: allencondomgr@desolpm.com

4. Information for property on which lien occurs:

Street Address and Location: 1723 Dixon Blvd.

Parcel ID:

24-36-30-00-35

0000

Tax Account Number:

00000000

Existing Use(s) on Property: Condominium / Residential

Proposed Use(s) on Property: Residential

(If residential – (circle one) owner occupied or rental), if rental does property owner anticipate accepting any state or federal rental subsidies? Yes.

Nature of Violation(s): Deferred Maintenance

Date Fine or Lien Imposed: 4/20/17 Amount of Fine: \$250.00 Daily
per day

Have the violation(s) on the subject property been corrected: Yes / No (Circle one)

Date upon which the subject property was brought into compliance: 9/18/20

5. Please provide the following information:

Code enforcement case number: 17-0000000029

Were you the property owner at the time the lien was imposed? Yes / No (Circle one) If so, how many days did it take from the board order to the date compliance was achieved? 3 years.

If you were not the property at the time the violation occurred, were you aware of the lien when you purchased the property? Yes / No / NA (Circle one) If the property was not in compliance at the time you purchased the property how many days from the time of purchase did it take for you to come into compliance? _____

Did you receive the Notice of Violation issued by the Code Enforcement Division: Yes / No (Circle one)

Did you receive the Finding of Facts issued by the Code Enforcement Board: Yes / No (Circle one)

The factual basis upon which the application for reduction of the lien should be granted:

Condominium was being managed by a different management company. As of our take over in 2017 we left property complied by 2019.

The reasons, if any, compliance was not obtained prior to the order of penalty or fine being recorded:

Unknown. Property was managed by other company.

Amount you are requesting that the lien be reduced to: All if possible.

Please provide any other information deemed pertinent to this request, including but not limited to the circumstances that exist which would warrant the reduction or forgiveness of the penalty or fine. Include documentation of any financial investment made to physically improve the property:

Previous management left us with ove \$420K of uncollected funds and incomplete repairs in 2017. City would not allow compliance after repairs until permits for burned Building were pulled. That was done in 9/18/20.

Are there any other properties within the jurisdictional limits of the City of Cocoa owned by the applicant and/or owners of the subject property on which code violations have been alleged, of which the case is still active, or a Finding of Facts has been entered by the Code Enforcement Board, if so please provide the address, the nature of violation and the status of such:

NO.

6. Please submit the following items in order complete the application:

- a. ☒ **Notarized application.**
- b. ☒ **Reimbursement to City for recording costs at time of application.** Pursuant to Section 6-707(c), Code of the City of Cocoa, at the time of application, payment to the city in the amount necessary to reimburse the City for its costs associated with processing and recording the order imposing a penalty or fine and the requested satisfaction or release of lien. Please make checks payable to the 'City of Cocoa' and submit payment ONLY to the Community Services Department. Please note that these costs are non-refundable without regard for the final disposition of the application for satisfaction or release of lien. **The application fee is \$20.00 and will need to be paid at the time the application is submitted.**
- c. ☐ **Letter of authorization.** If the applicant is not the property owner, a notarized letter of authorization or agent affidavit is required, unless the applicant is the Attorney of the owner. Each property owner must complete a separate authorization form or other suitable documentation to allow the agent to act upon his/her behalf.
- d. ☒ **Corporate documents.** If the applicant/owner is representing a company, articles of incorporation which show the applicant/owner is authorized to represent the company is required. A data record printout from the Florida Department of State, Division of Corporations website may also be provided (<http://www.sunbiz.org/corpweb/inquiry/search.html>).
- e. ☒ **Additional information (optional).** Submit any information that may be helpful in understanding the request. This may include photos, sketches, elevations, or letters from adjoining property owners.

7. Application Filing Procedure. This application, together with all required exhibits and attachments, shall be completed and filed with the Code Enforcement Division by the third Friday of each month at 5:00 pm in order to be scheduled for public hearing for the following month.

8. **Procedure per City Code.** Section 6-707 states the City Lien Reduction rules and procedures for applying for a reduction. It is the applicant's responsibility to read and understand the rules and procedures that are located on page 6 of the Lien Reduction Application
9. **Board Action.** An Inspection of the property must be performed to be scheduled at the Code Board. Following a presentation by staff and testimony offered by the applicant, the Code Enforcement Board will formulate a recommendation to City Council.
10. **City Council Action.** An Inspection of the property must be performed to be scheduled before council. Following the Code Enforcement Board making a recommendation to the City Council, staff will schedule the item for the next available City Council regular meeting.
11. **Inspections.** I agree to allow Code Enforcement to inspect my property and give consent to walk the property before proceeding with this reduction ☒ YES ☐ NO

Signature below will also show that consent to inspect was given by the property owner or representative.

12. Signatures and Notarization.

STATE OF Florida COUNTY OF Miami Dade, I, Lissette Hernandez
being first duly sworn, depose and say that:

- ☐ I am the applicant, or if corporation, I am the officer of the corporation authorized to act on this request.
- ☒ I am the legal representative of the applicant of this application and a notarized Letter of Authorization form or agent affidavit accompanies this application giving written, unless the applicant is the Attorney representing the owner.

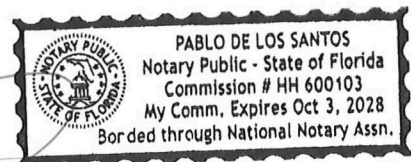
I hereby certify that I have read, completed and understand this Application and understand that if my application and all associated attachments are not complete and accurate in all respects, the application will not be scheduled for a public hearing. I further understand that this application must be complete and accurate prior to the advertising of a public hearing.

[Signature]
(APPLICANT SIGNATURE)
Public)

Pablo De Los Santos
(Print, Type, or Stamp Commissioned Name of Notary

Personally Known ☒ OR Produced Identification ☐

Type of I.D. Produced _____



[Signature]
(NOTARY PUBLIC SIGNATURE)

STATE OF FLORIDA, COUNTY OF BREVARD

Sworn and subscribed to before me this 20 day of February, 2025

Public Hearing Process Information.

It is the responsibility of the Applicant to read the Lien Reduction Application to its entirety. Please keep this sheet from your application for your records. At any time through this process you have any questions or concerns, please contact the Code Enforcement Division at 321-433-8508.

1. **Public hearing date and location.** All regularly scheduled hearings are held on the third Thursday of each month at 6:00pm in the Cocoa City Hall Council Chambers located at 65 Stone Street, Cocoa, Florida unless otherwise notified.
2. **Presence required at the public hearings.** The applicant or his/her representative must be present to answer any questions concerning the request. If there are extenuating circumstances why the applicant or his/her representative cannot attend, he or she must notify the City in writing prior to the public hearing.
3. **Preparing for public hearing.** It is the applicant's responsibility to research and know all laws that may be applicable and may affect the outcome of any decision on the applicant's request.
4. **Format of public hearing.** The public hearing before the Code Enforcement Board is quasi-judicial in nature. *State and local law strictly prohibits applicants and/or interested parties from participating in ex-parte communications with Board members in person, by phone, e-mail, or in writing before the application is considered at a public hearing.* Applicants are encouraged to review and copy the quasi-judicial rules and procedures used by the Code Enforcement Board before the public hearing date. A copy may be obtained from the City Clerk's Office.
5. **Exhibits at public hearing.** If photographs, documents, maps or other materials are provided to the Board as evidence at the public hearing, the applicant must provide a copy to the Recording Secretary, City Staff, and the Code Enforcement Board for examination. One copy of any exhibits and/or evidence shall be provided, by law those instruments automatically become part of the public records and cannot be returned to the applicant.
6. **Witnesses at public hearing.** For the purposes of making a decision on the application, the Board shall only consider testimony of qualified witnesses. A witness is determined by the Board and is generally based on:
 - a. The witness has personal knowledge of the fact in which the witness will testify; and/or
 - b. In the case of testimony consisting of opinions or inferences, the testimony is qualified as the following:
 1. Layman witness: Testimony of a witness other than an expert witness is qualified only if:
 - The witness can readily, and with equal accuracy and adequacy, communicate what he or she perceived to the Board without testifying in the form of opinions or inferences.
 - The opinions and inferences do not require any special knowledge, skill experience or training.
 2. Expert witness. Testimony of an expert witness is qualified only if:
 - The subject matter is proper for expert testimony because scientific, technical, or other specialized skill will help the Board understand the evidence being presented, or helps establish a fact in issue.
 - The witness is adequately qualified to express an opinion on the matter.

Sec. 6-707. - Satisfaction or release of code enforcement lien. (NOTE: this is not the code section in its entirety)

- (b) **Application.** The application shall be executed under oath and sworn to in the presence of a notary public.
- (c) **Reimbursement to city for recording costs at time of application.** The violator shall submit, at the time of application, payment to the city in the amount necessary to reimburse the city for its costs associated with recording the order imposing a penalty or fine and the requested satisfaction or release of lien. These costs are non-refundable, without regard for the final disposition of the application for satisfaction or release of lien.
- (d) **Processing of application by Code Enforcement Manager or Chief of Police.** Upon receipt of the application for satisfaction or release of lien and payment provided above, the community development director shall confirm through the code enforcement department that the violation which resulted in the order imposing penalty or fine has been brought into compliance. If the violation has been brought into compliance and there is no current code violation upon the property in question, the community development director shall place the application upon the agenda of the next meeting of the code enforcement board.
- (e) **Code enforcement board hearing.** At the hearing before the code enforcement board, the board shall review and consider the application for satisfaction or release of lien, provide the violator with an opportunity to address the board regarding the application for satisfaction or release of lien, and to take the testimony of other interested parties, including but not limited to city staff.

Review and recommendation. Upon review of the application and any testimony presented, the code enforcement board shall recommend to the city council approval, approval with conditions, or denial of the application for satisfaction or release of lien.

The code enforcement board, in determining its recommendation, shall consider the following factors:

- (1) The gravity of the violation;
 - (2) The time in which it took the violator to come into compliance;
 - (3) The accrued amount of the code enforcement fine or lien;
 - (4) Any previous or subsequent code violations;
 - (5) Any financial hardship; and
 - (6) Any other mitigating circumstance which may warrant the reduction or satisfaction of the penalty or fine.
- (f) **Presentation to city council.** After a recommendation has been rendered by the code enforcement board, the community development director shall place the application for satisfaction or release of lien upon the agenda of the next regularly scheduled city council meeting. The city council may take action solely based upon the sworn application and recommendation of the code enforcement board; or it may, in its discretion, provide the violator with an opportunity to address the council in regard to the application for satisfaction or release of lien.
- City Council action. The city council may approve, approve with conditions, or deny the application to satisfy or release of lien. If the city council approves the application to satisfy or release the lien and the approval is conditioned upon the violator paying a reduced penalty, fine, or any other condition, the satisfaction or release of lien shall not be prepared or recorded until the condition(s) placed by the council have been satisfied.
- (g) **Compliance with city council conditions.** The violator shall have thirty (30) days in which to comply with the conditions imposed by the city council. Failure of the violator to comply will result in the automatic denial of the application for satisfaction or release of lien.
 - (h) **Effect of denial on application for subsequent lien reduction or forgiveness.** If the application is denied or if the application is automatically denied due to the failure of the violator to comply with the conditions imposed by the city council, the violator shall thereafter be barred from applying for a subsequent reduction or forgiveness of the lien for a period of one (1) year from the date of denial. During the one-year period, the lien may only be satisfied and released upon full payment of the fine or penalty imposed in accordance with this chapter.

(Ord. No. 16-06, § 2, 5-9-06)

CITY OF COCOA
CODE ENFORCEMENT
STAFF REPORT

Lien Reduction Request For **1723 Dixon Blvd.**
Reference Case # **CE17-0029**

The Code Enforcement Board held a public hearing on **March 16, 2017**, at which time the Board found the owner, **Allen Condominium Association Inc.** in violation of the following:

- City Code, Chapter 6, Sec 6-1003 (b) Protective Treatment (peeling and flaking paint)
- City Code, Chapter 6, Sec 6-900 (b4) Maintenance of structure & Grounds

The Code Enforcement Board provided the owners sufficient time of **April 16, 2017**, to correct said violation(s). Therefore, consistent with the Code Enforcement Board's Order a Non-Compliance Hearing was held on **April 20, 2017**.

The lien ran at **\$250.00** per day from **April 16, 2017** until compliance was achieved on **December 1, 2020**. Code records show the case was closed leaving a fine of **\$331,270.00**. The property owner (**Allen Condominium Association Inc.**) is requesting that the lien be reduced to the amount of **the city cost**.

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; **Yes**
- Applicant resides at the property: **No**
- The number of violations related to the subject lien; **Two**
- Number of Inspections performed: **24**
- 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, June 19, 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 is not available at this time due to the property being divided up into separate units, according to the Brevard County Property Appraiser the use is listed as **Condominiums**.

The staff's recommendation is that the fine / lien be reduced to **\$3,381.43** 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.

**Cocoa Community Services
Code Enforcement Division
Affidavit for Cost Reimbursement of Code Enforcement Case**

Case#: CE17-0029

Date: 06/19/2025

Allen Condominium (Lissette Mendoza)

Site Address: 1723 Dixon Blvd.

Cocoa Code Enforcement has incurred actual costs, as defined in F.S.S 162.09 for cost by the City in Prosecuting this case.

A. Salaries of Code Enforcement staff. (Hourly rate: Officer-\$35.06, Coordinator-\$36.06, Manager-\$48.54, Chief-\$69.71 & City Attorney-\$150.00)

	Officer/Manager	# of Inspections	Hours	Rate	Total
1	Code Officer	22	0.75	\$35.06	\$578.49
2	Code Manager	24	0.75	\$48.54	\$873.72
3					
				Total A1	\$1,452.21

	Officer/Manager	Office Duties	Hours	Rate	Total
1	Code Officer	22	0.5	35.06	\$771.32
2	Code Manager	6	0.5	48.54	\$291.24
3					
				Total A2	\$1,062.56

	Supporting Staff	Duty	Hours	Rate	Total
1	Code Coordinator	Case Duties	6	\$36.06	\$216.36
2	City Attorney	Case Duties	3	\$150.00	\$450.00
3	Chief	Board Hearings	0	\$69.71	\$0.00
4					
5					
				Total A3	\$666.36

B. Expenditures - Actual expenses incurred during the process of the Code Case.

	Item	Quantity	Amount	Total
1	Documents per Sheet	350	\$0.35	\$122.50
2	Large Envelope	25	\$0.64	\$16.00
3	Standard Envelope	12	\$0.10	\$1.20
4	Color Photo Prints	20	\$0.55	\$11.00
5	Standard Mail	6	\$0.55	\$3.30
6	Certified Mail	5	\$5.26	\$26.30
7	Recording Fees	2	\$10.00	\$20.00
8				
9				
			Total B	\$200.30

C. Total Amount of Cost (A1+A2+A3+B):

\$3,381.43

CODE ENFORCEMENT BOARD
CITY OF COCOA, FLORIDA
CASE NO. 17-000000029
April 20, 2017

CFN 2017089519, OR BK 7877 PAGE 2311,
Recorded 05/01/2017 at 11:12 AM, Scott Ellis, Clerk of Courts,
Brevard County
Pgs:1

THE CITY OF COCOA
A Florida Municipal Corporation

Complainant,

vs.

Allen Condo Association, Inc
Owners of the Property located at:
1723 Dixon Blvd.
Cocoa, FL 32922
Parcel ID: 24-36-30-00-35

Respondent,

ORDER IMPOSING ADMINISTRATIVE FINE/LIEN

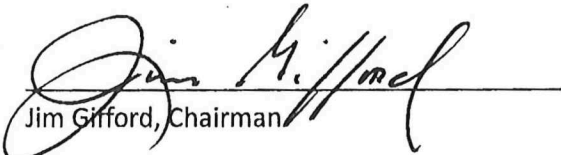
THIS CAUSE, having come for consideration, after being duly noticed, before the Code Enforcement Board of the City of Cocoa, Florida, on March 16, 2017 to determine whether any violations of the City of Cocoa Code of Ordinances existed on the property. The Board, having heard the arguments of the parties and the evidence presented and having reviewed the record and being otherwise fully advised, issued the Findings of Fact, Conclusions of Law and Order. The Order required the Respondent to come into compliance by April 16, 2017.

At a duly noticed Compliance Hearing of Code Enforcement Board the Respondent was found in non-compliance of the Board Order. It is hereby Ordered that the City of Cocoa shall impose a fine in the amount of two hundred fifty dollars (\$250.00) per day until the violation is corrected and full compliance is confirmed by the Code Enforcement Officer.

This Order shall be recorded in the public records for Brevard County, Florida, which shall serve as a lien against and upon any real or personal property owned by the Respondent pursuant to Section 162.08 and 162.09, Florida Statutes.

DONE AND ORDERED at Cocoa, Florida, this 20th, day of April, 2017.

CODE ENFORCEMENT BOARD OF THE CITY OF COCOA, FLORIDA


Jim Gifford, Chairman

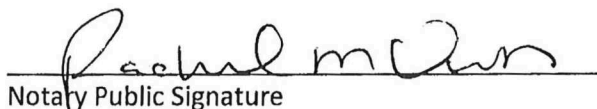
CERTIFICATION:
State of Florida, County of Brevard



0

COCOA CITY
65 STONE ST
COCOA FL 32922-7807

I hereby certify that this is an Original Copy of the Order of the Code Enforcement Board that was acknowledged before me this 25th day of April, 2017, by Jim Gifford, Chairman of the City of Cocoa Code Enforcement Board.


Notary Public Signature



RACHEL M. UNRUH
MY COMMISSION # GG 049001
EXPIRES: June 14, 2020
Bonded Thru Budget Notary Services

2

**CODE ENFORCEMENT BOARD
CITY OF COCOA, FLORIDA
CASE NO. 17-00000029**

CFN 2017062177, OR BK 7849 PAGE 2900.
Recorded 03/27/2017 at 12:29 PM, Scott Ellis, Clerk of Courts,
Brevard County
Pgs:2

THE CITY OF COCOA

A Florida Municipal Corporation,
Complainant,

vs.

Allen Condo Association, Inc.
Owners of the Property located at:
1723 Dixon Blvd.
Cocoa, FL 32922

Parcel ID: 24-36-30-00-35

Respondent,
_____ /

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

THIS CAUSE, having come for consideration, after being duly noticed, before the Code Enforcement Board of the City of Cocoa, Florida, on March 16, 2017 to determine whether any violations of the City of Cocoa Code of Ordinances exist or existed on the property. The Board, having heard the arguments of the parties and the evidence presented and having reviewed the record and being otherwise fully advised, makes the following Findings of Fact, Conclusions of Law and Order as set forth herein.

Findings of Fact and Conclusions of Law

Based upon the evidence and testimony presented at this hearing, the Code Enforcement Board finds: That a code enforcement officer of the City of Cocoa determined the Subject Property was in violation of: Section 6-1003 (b) Protective treatment, peeling, flaking, stained paint and Section 6-900 (b) (4) a-c maintenance of structure / grounds, of the City Code, and issued a Notice of Violation to Respondent giving a reasonable time to correct the violation(s).

1. That Respondent failed to correct such violation(s) within the reasonable time period provided in the Notice of Violation. Pursuant to section 162.06, Florida Statutes, this hearing was scheduled. Proper written notice of this hearing was given to Respondent.

2. That based on the testimony and evidence presented, including Staff's presentation, the Board finds Respondent is in violation of the following: Section 6-1003 (b) Protective treatment, peeling, flaking, stained paint and Section 6-900 (b) (4) a-c maintenance of structure / grounds, of the City Code.

Order**BASED UPON THE FOREGOING FACTS AND CONCLUSIONS OF LAW, IT IS HEREBY ORDERED:**

1. Respondent shall be given until April 16, 2017 to correct all violations set forth herein on the property.

2. If Respondent fails to correct all cited violations within the time period set forth herein, the Code Enforcement Officer shall schedule this Case to appear for a compliance hearing before the Code Enforcement Board at a date to be determined, where the sole issue to be considered is whether compliance has been achieved on all violations. Respondent will be given an opportunity to appear and present evidence regarding compliance.

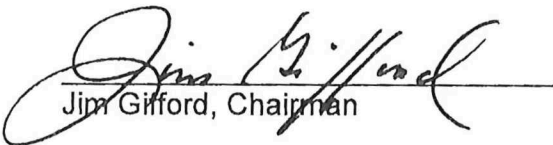
3. Upon a finding by the Code Enforcement Board that the property was not brought into compliance by the date set forth in this Order, a fine in the amount of two hundred fifty dollars (\$250.00) per day may be imposed for each and every day any of the violations continue past the above-stated date ordered for compliance by the Board and the daily fines shall continue to run until the violation is corrected and full compliance is confirmed by the Code Enforcement Officer. Respondent shall be responsible to immediately notify the Code Enforcement Officer if the property has been brought into compliance.

4. If the Board finds Respondent failed to comply with all violations by the date set forth herein, an Order Imposing Fine shall be entered and a certified copy of said Order may be recorded in the public records of Brevard County, Florida, which shall serve as a lien against the property.

Once the violations have been corrected, any of the same violations by Respondent within five years may constitute a repeat violation where the Board may impose a fine of up to \$500.00 per day for each day the violation exists beginning the day the repeat violation is first observed by the Code Enforcement Officer.

DONE AND ORDERED THIS 16th DAY OF March, 2017.

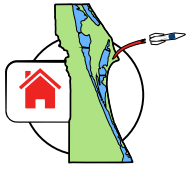
CODE ENFORCEMENT BOARD OF THE
CITY OF COCOA, FLORIDA


Jim Gifford, Chairman

I CERTIFY THAT A COPY OF THIS ORDER was furnished to Respondent(s) at Allen Condo Association, Inc., whose mailing address is 4407 Vineland Rd. Unit Ste. D12, Orlando, FL 32811 this 17th day of March, 2017 via hand delivery (certified) mail/U.S. mail posting (circle all that apply).


Secretary, Code Enforcement Board

NOTARY PUBLIC
STATE OF FLORIDA
RACHEL M. UNRUH
MY COMMISSION # GG 049001
EXPIRES: June 14, 2020
Bonded Thru Budget Notary Services

**REAL PROPERTY DETAILS**
Account 2426280 - Roll Year 2024

Owners	LEVENSALE, EDGAR
Mailing Address	PO BOX 542349 MERRITT ISLAND FL 32954
Site Address	213 FACTORY ST COCOA FL 32922 699 HUGHLETT AVE COCOA FL 32922
Parcel ID	24-36-33-80-14-6
Taxing District	23D0 - COCOA
Exemptions	NONE
Property Use	0353 - LOW RISE APARTMENTS - 2 OR 3 STORIES - 10 TO 49 U
Total Acres	0.99
Site Code	0001 - NO OTHER CODE APPL.
Plat Book/Page	0001/0071
Subdivision	S F TRAVIS ADDN TO COCOA
Land Description	S F TRAVIS ADDN TO COCOA LOT 6 TOGETHER WITH S 70 FT OF W 200 FT OF LOT 5 & E 50 FT OF W 100 FT OF THE FOLLOWING DESC S 10 FT OF LOT 3, LOT 4 & N 10 FT OF LOT 5 BLK 14

**VALUE SUMMARY**

Category	2024	2023	2022
Market Value	\$972,440	\$874,750	\$518,390
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$962,220	\$874,750	\$506,000
Assessed Value School	\$972,440	\$874,750	\$518,390
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$962,220	\$874,750	\$506,000
Taxable Value School	\$972,440	\$874,750	\$518,390

SALES / TRANSFERS

Date	Price	Type	Instrument
12/21/2022	--	QC	9715/1744
06/01/2022	\$1,925,000	WD	9529/1420
12/13/2019	\$1,325,000	WD	8616/1725
03/27/2019	--	DC	8413/0410
04/10/2018	--	QC	8155/0108
09/15/1983	--	QC	2456/0633
01/02/1968	\$84,000	--	1004/0285

BUILDINGS**PROPERTY DATA CARD #1****Building Use:** 0353 - LOW RISE APARTMENTS - 2 OR 3 STORIES - 10 TO 49 UNITS

Materials		Details	
Exterior Wall:	STUCCO	Year Built	1960
Frame:	MASNRYCONC	Story Height	8
Roof:	BU-TG/MMBRN	Floors	2
Roof Structure:	WOOD TRUSS	Residential Units	22
		Commercial Units	0
Sub-Areas		Extra Features	
Base Area (1st)	7,164	Fence - Chain Link 6'	720
Base Area (2nd)	7,164	Fence - Barb Wire	720
Open Porch	2,432	Paving - Asphalt	4,640
Total Base Area	14,328		
Total Sub Area	16,760		

CODE BOARD AGENDA ITEM

Memo Date: 05/28/2025
Agenda Date: 6/19/2025
Prepared By: Thomas Wilkinson, Code Enforcement Manager
Through: Charlene Neuterman, Community Services Director
Thomas Wilkinson, Code Enforcement Manager
Requested Action: The staff's recommendation is that the fine / lien be reduced to **\$2,773.32**, 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.

BACKGROUND:

Lien Reduction Request For **213 Factory St.**
Reference Case # **CE22-475**

The Code Enforcement Board held a public hearing on **April 20, 2023**, at which time the Board found the owner, **Edgar Levensaler**, in violation of the following:

- City Code Appendix A, Article XIII, Sec. 1, 9(b)

The Code Enforcement Board provided the owners sufficient time of **October 20, 2023**, to correct said violation(s). Therefore, consistent with the Code Enforcement Board's Order a Non-Compliance Hearing was held on **November 16, 2023**.

The lien ran at **\$75.00** per day from **October 20, 2023**, until compliance was achieved on **August 29, 2024**. Code records show the case was closed, leaving a fine of **\$24,010.00**.

The property owner (**Tim Levensaler**) is requesting that the lien be reduced to the amount of **the city cost**.

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; **Yes**
- Applicant resides at the property: **No**
- The number of violations related to the subject lien; **One**
- Number of Inspections performed: **20**
- 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, June 19, 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 is listed at \$972,440. According to the Brevard County Property Appraiser, the use is listed as **Low Rise Apartments**.

The staff's recommendation is that the fine / lien be reduced to **\$2,773.32**, 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.

PRIORITY AREA CONNECTION:

Public Safety/Community Standards

BUDGETARY IMPACT:

PREVIOUS ACTION:

he Code Enforcement Board held a public hearing on **April 20, 2023**, at which time the Board found the owner, **Edgar Levensaler**, in violation of city codes.

RECOMMENDED MOTION:

The staff's recommendation is that the fine / lien be reduced to **\$2,773.32**, 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.



Application # CE - 22 - 475

LIEN REDUCTION APPLICATION

Cocoa Police Department
Code Enforcement Division
1226 W King Street
Cocoa, Florida 32922
Phone; (321) 433-8508

This application must be completed entirely. The property must be in compliance per the City Code Section 6-707(d), if the property does not meet the guidelines of the City Code the Lien Reduction Application will not be scheduled for a hearing before the Code Enforcement Board.

This form is divided into steps which will help you prepare your request, provide the necessary information, and prepare for the Code Enforcement Board and City Council hearing.

For Office Use Only - Date Received

APR 15 2025

By JD

Stamp Only When Application is Fully Complete

Please TYPE or PRINT this application neatly.

1. Date: 4/15/25

2. Applicant Information: * NOTE: Applicant is the main contact, who must attend the meeting.

Company (if applicable): _____

Name: Edgar / Tim Levensaler

Mailing Address: P.O. Box 542349

City: Merritt Is. State: FL Zip Code: 32954

Phone #: 321-258-7466 Fax #: _____

Mobile #: Same E-mail: moetme@aol.com

3. Property Owner Information:

* Check here if same as Applicant → ☒

* If more than one owner, attach additional sheet with names and addresses.

Company (if applicable): _____

Name: Same as applicant

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Phone #: _____ Fax #: _____

Mobile #: _____ E-mail: _____

4. Information for property on which lien occurs:

Street Address and Location: 213 Factory St, Cocoa, FL 32922

Parcel ID:

21-36-33-80-143.05

2426-280

Tax Account Number:

2426280

Existing Use(s) on Property: Storage

Proposed Use(s) on Property: Residential Parking

(If residential – (circle one) **owner occupied** or **rental**), if rental does property owner anticipate accepting any state or federal rental subsidies?

No

Nature of Violation(s): Submit Approved Site Plan / Remove Aggregate

Date Fine or Lien Imposed: 7/20/23
per day 11/16/23

Amount of Fine: \$50 / \$25

Have the violation(s) on the subject property been corrected: Yes / No (Circle one)

Date upon which the subject property was brought into compliance: 7/23/24 + 4/1/25

5. Please provide the following information:

Code enforcement case number: 22-475

Were you the property owner at the time the lien was imposed? Yes / No (Circle one) If so, how many days did it take from the board order to the date compliance was achieved? _____

If you were not the property at the time the violation occurred, were you aware of the lien when you purchased the property? Yes / No / NA (Circle one) If the property was not in compliance at the time you purchased the property how many days from the time of purchase did it take for you to come into compliance? _____

Did you receive the Notice of Violation issued by the Code Enforcement Division: Yes / No (Circle one)

Did you receive the Finding of Facts issued by the Code Enforcement Board: Yes / No (Circle one)

The factual basis upon which the application for reduction of the lien should be granted:

I was ordered to Submit a Site Plan for Approval + Remove Aggregate. I Did Both and Successfully Complete the Project. The project Greatly Improves and Enhances the Property That is within the City Limits.

The reasons, if any, compliance was not obtained prior to the order of penalty or fine being recorded:

The Normal process of Plan Approval + Actual Construction
is a very long process.

Amount you are requesting that the lien be reduced to:

Administrative Costs

Please provide any other information deemed pertinent to this request, including but not limited to the circumstances that exist which would warrant the reduction or forgiveness of the penalty or fine. Include documentation of any financial investment made to physically improve the property:

Are there any other properties within the jurisdictional limits of the City of Cocoa owned by the applicant and/or owners of the subject property on which code violations have been alleged, of which the case is still active, or a Finding of Facts has been entered by the Code Enforcement Board, if so please provide the address, the nature of violation and the status of such:

No
I Invested \$50,000 In the Property Improvement + Building.
Changed the Lot from a Storage Lot of Junk + A/H Spoils
Equipment + Tools to a Residential Parking + Garage to Join
699 Huggett. (Adjacent 22 Unit Apt Building).

6. Please submit the following items in order complete the application:

- a. ☒ **Notarized application.**
- b. ☐ **Reimbursement to City for recording costs at time of application.** Pursuant to Section 6-707(c), Code of the City of Cocoa, at the time of application, payment to the city in the amount necessary to reimburse the City for its costs associated with processing and recording the order imposing a penalty or fine and the requested satisfaction or release of lien. Please make checks payable to the 'City of Cocoa' and submit payment ONLY to the Community Services Department. Please note that these costs are non-refundable without regard for the final disposition of the application for satisfaction or release of lien. **The application fee is \$20.00 and will need to be paid at the time the application is submitted.**
- c. ☐ **Letter of authorization.** If the applicant is not the property owner, a notarized letter of authorization or agent affidavit is required, unless the applicant is the Attorney of the owner. Each property owner must complete a separate authorization form or other suitable documentation to allow the agent to act upon his/her behalf.
- d. ☐ **Corporate documents.** If the applicant/owner is representing a company, articles of incorporation which show the applicant/owner is authorized to represent the company is required. A data record printout from the Florida Department of State, Division of Corporations website may also be provided (<http://www.sunbiz.org/corpweb/inquiry/search.html>).
- e. ☐ **Additional information (optional).** Submit any information that may be helpful in understanding the request. This may include photos, sketches, elevations, or letters from adjoining property owners.

7. **Application Filing Procedure.** This application, together with all required exhibits and attachments, shall be completed and filed with the Code Enforcement Division by the third Friday of each month at 5:00 pm in order to be scheduled for public hearing for the following month.

8. **Procedure per City Code.** Section 6-707 states the City Lien Reduction rules and procedures for applying for a reduction. It is the applicant's responsibility to read and understand the rules and procedures that are located on page 6 of the Lien Reduction Application
9. **Board Action.** An Inspection of the property must be performed to be scheduled at the Code Board. Following a presentation by staff and testimony offered by the applicant, the Code Enforcement Board will formulate a recommendation to City Council.
10. **City Council Action.** An Inspection of the property must be performed to be scheduled before council. Following the Code Enforcement Board making a recommendation to the City Council, staff will schedule the item for the next available City Council regular meeting.
11. **Inspections.** I agree to allow Code Enforcement to inspect my property and give consent to walk the property before proceeding with this reduction ☒ YES ☐ NO

Signature below will also show that consent to inspect was given by the property owner or representative.

12. Signatures and Notarization.

STATE OF Florida COUNTY OF Brevard I, Edgar L. Lumsden
being first duly sworn, depose and say that:

- ☒ I am the applicant, or if corporation, I am the officer of the corporation authorized to act on this request.
- ☐ I am the legal representative of the applicant of this application and a notarized Letter of Authorization form or agent affidavit accompanies this application giving written, unless the applicant is the Attorney representing the owner.

I hereby certify that I have read, completed and understand this Application and understand that if my application and all associated attachments are not complete and accurate in all respects, the application will not be scheduled for a public hearing. I further understand that this application must be complete and accurate prior to the advertising of a public hearing.

[Signature]

(APPLICANT SIGNATURE)
Public)

Florrie L. Edgcombe
(Print, Type, or Stamp Commissioned Name of Notary

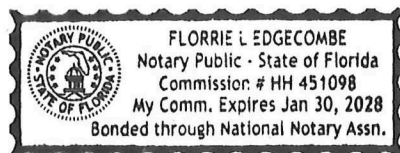
Personally Known ☒ OR Produced Identification ☐

Type of I.D. Produced _____

[Signature]
(NOTARY PUBLIC SIGNATURE)

STATE OF FLORIDA, COUNTY OF BREVARD

Sworn and subscribed to before me this 15th day of April, 2025



Public Hearing Process Information.

It is the responsibility of the Applicant to read the Lien Reduction Application to its entirety. Please keep this sheet from your application for your records. At any time through this process you have any questions or concerns, please contact the Code Enforcement Division at 321-433-8508.

1. **Public hearing date and location.** All regularly scheduled hearings are held on the third Thursday of each month at 6:00pm in the Cocoa City Hall Council Chambers located at 65 Stone Street, Cocoa, Florida unless otherwise notified.
2. **Presence required at the public hearings.** The applicant or his/her representative must be present to answer any questions concerning the request. If there are extenuating circumstances why the applicant or his/her representative cannot attend, he or she must notify the City in writing prior to the public hearing.
3. **Preparing for public hearing.** It is the applicant's responsibility to research and know all laws that may be applicable and may affect the outcome of any decision on the applicant's request.
4. **Format of public hearing.** The public hearing before the Code Enforcement Board is quasi-judicial in nature. *State and local law strictly prohibits applicants and/or interested parties from participating in ex-parte communications with Board members in person, by phone, e-mail, or in writing before the application is considered at a public hearing.* Applicants are encouraged to review and copy the quasi-judicial rules and procedures used by the Code Enforcement Board before the public hearing date. A copy may be obtained from the City Clerk's Office.
5. **Exhibits at public hearing.** If photographs, documents, maps or other materials are provided to the Board as evidence at the public hearing, the applicant must provide a copy to the Recording Secretary, City Staff, and the Code Enforcement Board for examination. One copy of any exhibits and/or evidence shall be provided, by law those instruments automatically become part of the public records and cannot be returned to the applicant.
6. **Witnesses at public hearing.** For the purposes of making a decision on the application, the Board shall only consider testimony of qualified witnesses. A witness is determined by the Board and is generally based on:
 - a. The witness has personal knowledge of the fact in which the witness will testify; and/or
 - b. In the case of testimony consisting of opinions or inferences, the testimony is qualified as the following:
 1. Layman witness: Testimony of a witness other than an expert witness is qualified only if:
 - The witness can readily, and with equal accuracy and adequacy, communicate what he or she perceived to the Board without testifying in the form of opinions or inferences.
 - The opinions and inferences do not require any special knowledge, skill experience or training.
 2. Expert witness. Testimony of an expert witness is qualified only if:
 - The subject matter is proper for expert testimony because scientific, technical, or other specialized skill will help the Board understand the evidence being presented, or helps establish a fact in issue.
 - The witness is adequately qualified to express an opinion on the matter.

Sec. 6-707. - Satisfaction or release of code enforcement lien. (NOTE: this is not the code section in its entirety)

- (b) **Application.** The application shall be executed under oath and sworn to in the presence of a notary public.
- (c) **Reimbursement to city for recording costs at time of application.** The violator shall submit, at the time of application, payment to the city in the amount necessary to reimburse the city for its costs associated with recording the order imposing a penalty or fine and the requested satisfaction or release of lien. These costs are non-refundable, without regard for the final disposition of the application for satisfaction or release of lien.
- (d) **Processing of application by Code Enforcement Manager or Chief of Police.** Upon receipt of the application for satisfaction or release of lien and payment provided above, the community development director shall confirm through the code enforcement department that the violation which resulted in the order imposing penalty or fine has been brought into compliance. If the violation has been brought into compliance and there is no current code violation upon the property in question, the community development director shall place the application upon the agenda of the next meeting of the code enforcement board.
- (e) **Code enforcement board hearing.** At the hearing before the code enforcement board, the board shall review and consider the application for satisfaction or release of lien, provide the violator with an opportunity to address the board regarding the application for satisfaction or release of lien, and to take the testimony of other interested parties, including but not limited to city staff.

Review and recommendation. Upon review of the application and any testimony presented, the code enforcement board shall recommend to the city council approval, approval with conditions, or denial of the application for satisfaction or release of lien.

The code enforcement board, in determining its recommendation, shall consider the following factors:

- (1) The gravity of the violation;
 - (2) The time in which it took the violator to come into compliance;
 - (3) The accrued amount of the code enforcement fine or lien;
 - (4) Any previous or subsequent code violations;
 - (5) Any financial hardship; and
 - (6) Any other mitigating circumstance which may warrant the reduction or satisfaction of the penalty or fine.
- (f) **Presentation to city council.** After a recommendation has been rendered by the code enforcement board, the community development director shall place the application for satisfaction or release of lien upon the agenda of the next regularly scheduled city council meeting. The city council may take action solely based upon the sworn application and recommendation of the code enforcement board; or it may, in its discretion, provide the violator with an opportunity to address the council in regard to the application for satisfaction or release of lien.
- City Council action. The city council may approve, approve with conditions, or deny the application to satisfy or release of lien. If the city council approves the application to satisfy or release the lien and the approval is conditioned upon the violator paying a reduced penalty, fine, or any other condition, the satisfaction or release of lien shall not be prepared or recorded until the condition(s) placed by the council have been satisfied.
- (g) **Compliance with city council conditions.** The violator shall have thirty (30) days in which to comply with the conditions imposed by the city council. Failure of the violator to comply will result in the automatic denial of the application for satisfaction or release of lien.
 - (h) **Effect of denial on application for subsequent lien reduction or forgiveness.** If the application is denied or if the application is automatically denied due to the failure of the violator to comply with the conditions imposed by the city council, the violator shall thereafter be barred from applying for a subsequent reduction or forgiveness of the lien for a period of one (1) year from the date of denial. During the one-year period, the lien may only be satisfied and released upon full payment of the fine or penalty imposed in accordance with this chapter.

(Ord. No. 16-06, § 2, 5-9-06)

**Cocoa Community Services
Code Enforcement Division
Affidavit for Cost Reimbursement of Code Enforcement Case**

Case#: CE22-0475

Date: 06/19/2025

Tim Levensaler

Site Address: 213 Factory St

Cocoa Code Enforcement has incurred actual costs, as defined in F.S.S 162.09 for cost by the City in Prosecuting this case.

A. Salaries of Code Enforcement staff. (Hourly rate: Officer-\$35.06, Coordinator-\$36.06, Manager-\$48.54, Chief-\$69.71 & City Attorney-\$150.00)

	Officer/Manager	# of Inspections	Hours	Rate	Total
1	Code Officer	20	0.75	\$35.06	\$525.90
2	Code Manager	8	0.75	\$48.54	\$291.24
3					
				Total A1	\$817.14

	Officer/Manager	Office Duties	Hours	Rate	Total
1	Code Officer	20	0.5	35.06	\$701.20
2	Code Manager	8	0.5	48.54	\$388.32
3					
				Total A2	\$1,089.52

	Supporting Staff	Duty	Hours	Rate	Total
1	Code Coordinator	Case Duties	6	\$36.06	\$216.36
2	City Attorney	Case Duties	3	\$150.00	\$450.00
3	Chief	Board Hearings	0	\$69.71	\$0.00
4					
5					
				Total A3	\$666.36

B. Expenditures - Actual expenses incurred during the process of the Code Case.

	Item	Quantity	Amount	Total
1	Documents per Sheet	350	\$0.35	\$122.50
2	Large Envelope	25	\$0.64	\$16.00
3	Standard Envelope	12	\$0.10	\$1.20
4	Color Photo Prints	20	\$0.55	\$11.00
5	Standard Mail	6	\$0.55	\$3.30
6	Certified Mail	5	\$5.26	\$26.30
7	Recording Fees	2	\$10.00	\$20.00
8				
9				
			Total B	\$200.30

C. Total Amount of Cost (A1+A2+A3+B):

\$2,773.32

CITY OF COCOA
CODE ENFORCEMENT
STAFF REPORT

Lien Reduction Request For **213 Factory St.**
Reference Case # **CE22-475**

The Code Enforcement Board held a public hearing on **April 20, 2023**, at which time the Board found the owner, **Edgar Levensaler** in violation of the following:

- City Code Appendix A, Article XIII, Sec. 1, 9(b)

The Code Enforcement Board provided the owners sufficient time of **October 20, 2023**, to correct said violation(s). Therefore, consistent with the Code Enforcement Board's Order a Non-Compliance Hearing was held on **November 16, 2023**.

The lien ran at **\$75.00** per day from **October 20, 2023** until compliance was achieved on **August 29, 2024**. Code records show the case was closed leaving a fine of **\$24,010.00**.

The property owner (**Tim Levensaler**) is requesting that the lien be reduced to the amount of **the city cost**.

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; **Yes**
- Applicant resides at the property: **No**
- The number of violations related to the subject lien; **One**
- Number of Inspections performed: **20**
- 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, June 19, 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 is listed at \$972,440, according to the Brevard County Property Appraiser the use is listed as **Low Rise Apartments**.

The staff's recommendation is that the fine / lien be reduced to **\$2,773.32** 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.

CODE ENFORCEMENT BOARD
CITY OF COCOA, FLORIDA
CASE NO. 22-0475

THE CITY OF COCOA

A Florida Municipal Corporation,
Complainant,

vs.

L'LL SKUNK INC

Owners of the Property located at:
213 FACTORY ST
Cocoa, FL 32922
Parcel ID: 24-36-33-80-14-3.05

Respondent,

_____ /

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

THIS CAUSE, having come for consideration, after being duly noticed, before the Code Enforcement Board of the City of Cocoa, Florida, on April 20, 2023 to determine whether any violations of the City of Cocoa Code of Ordinances exist or existed on the property. The Board, having heard the arguments of the parties and the evidence presented and having reviewed the record and being otherwise fully advised, makes the following Findings of Fact, Conclusions of Law and Order as set forth herein.

Findings of Fact and Conclusions of Law

Based upon the evidence and testimony presented at this hearing, the Code Enforcement Board finds: That a code enforcement officer of the City of Cocoa determined the Subject Property was in violation of:

- ☐ XXX.Storage of Rec. Vehicles, App A Art. XIII Sec 14 (a-d)
- ☐ Select Code Violation
- ☒ Site Plan Approval Required, App. A, Art. XIII, Sec. 1 (B)
- ☐ Select Code Violation

of the City Code, and issued a Notice of Violation to Respondent giving a reasonable time to correct the violation(s).

1. That Respondent failed to correct such violation(s) within the reasonable time period provided in the Notice of Violation. Pursuant to section 162.06, Florida Statutes, this hearing was scheduled. Proper written notice of this hearing was given to Respondent.

2. That based on the testimony and evidence presented, including Staff's presentation, the Board finds Respondent is in violation of the following violations of the City Code:

- ☐ XXX.Storage of Rec. Vehicles, App A Art. XIII Sec 14 (a-d)
- ☐ Select Code Violation
- ☒ Site Plan Approval Required, App. A, Art. XIII, Sec. 1 (B)
- ☐ Select Code Violation

Order

BASED UPON THE FOREGOING FACTS AND CONCLUSIONS OF LAW, IT IS HEREBY ORDERED:

1. Respondent shall be given until July 20, 2023 to correct all violations set forth herein on the property. Remove millings.

2. If Respondent fails to correct all cited violations within the time period set forth herein, the Code Enforcement Officer shall schedule this Case to appear for a compliance hearing before the Code Enforcement Board at a date to be determined, where the sole issue to be considered is whether compliance has been achieved on all violations. Respondent will be given an opportunity to appear and present evidence regarding compliance.

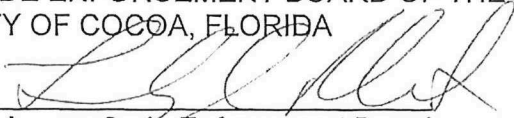
3. Upon a finding by the Code Enforcement Board that the property was not brought into compliance by the date set forth in this Order, a fine in the amount of **\$25.00** per day may be imposed for each and every day any of the violations continue past the above-stated date ordered for compliance by the Board and the daily fines shall continue to run until the violation is corrected and full compliance is confirmed by the Code Enforcement Officer. Respondent shall be responsible to immediately notify the Code Enforcement Officer if the property has been brought into compliance.

4. If the Board finds Respondent failed to comply with all violations by the date set forth herein, an Order Imposing Fine shall be entered and a certified copy of said Order may be recorded in the public records of Brevard County, Florida, which shall serve as a lien against the property.

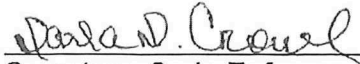
Once the violations have been corrected, any of the same violations by Respondent within five years may constitute a repeat violation where the Board may impose a fine of up to \$500.00 per day for each day the violation exists beginning the day the repeat violation is first observed by the Code Enforcement Officer.

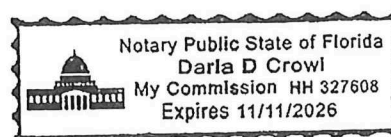
DONE AND ORDERED THIS 20 DAY OF April, 2023.

CODE ENFORCEMENT BOARD OF THE
CITY OF COCOA, FLORIDA


Chairman, Code Enforcement Board

I CERTIFY THAT A COPY OF THIS ORDER was furnished to Respondent(s) at L'LL SKUNK INC, whose mailing address is PO BOX 542349 MERRITT ISLAND FL 32954 this 20 day of April, 2023 via ___hand delivery/___certified mail/___U.S. mail/___posting (mark all that apply).


Secretary, Code Enforcement Board



2. That based on the testimony and evidence presented, including Staff's presentation, the Board finds Respondent is in violation of the following violations of the City Code:

- ☐ XXX.Storage of Rec. Vehicles, App A Art. XIII Sec 14 (a-d)
- ☐ Select Code Violation
- ☒ Site Plan Approval Required, App. A, Art. XIII, Sec. 1 (B)
- ☐ Select Code Violation

Order

BASED UPON THE FOREGOING FACTS AND CONCLUSIONS OF LAW, IT IS HEREBY ORDERED:

1. Respondent shall be given until October 20, 2023 to correct all violations set forth herein on the property. For Site Plan Approval.

2. If Respondent fails to correct all cited violations within the time period set forth herein, the Code Enforcement Officer shall schedule this Case to appear for a compliance hearing before the Code Enforcement Board at a date to be determined, where the sole issue to be considered is whether compliance has been achieved on all violations. Respondent will be given an opportunity to appear and present evidence regarding compliance.

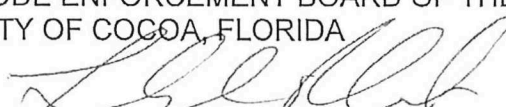
3. Upon a finding by the Code Enforcement Board that the property was not brought into compliance by the date set forth in this Order, a fine in the amount of **\$50.00** per day may be imposed for each and every day any of the violations continue past the above-stated date ordered for compliance by the Board and the daily fines shall continue to run until the violation is corrected and full compliance is confirmed by the Code Enforcement Officer. Respondent shall be responsible to immediately notify the Code Enforcement Officer if the property has been brought into compliance.

4. If the Board finds Respondent failed to comply with all violations by the date set forth herein, an Order Imposing Fine shall be entered and a certified copy of said Order may be recorded in the public records of Brevard County, Florida, which shall serve as a lien against the property.

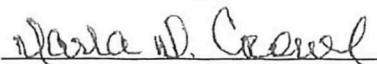
Once the violations have been corrected, any of the same violations by Respondent within five years may constitute a repeat violation where the Board may impose a fine of up to \$500.00 per day for each day the violation exists beginning the day the repeat violation is first observed by the Code Enforcement Officer.

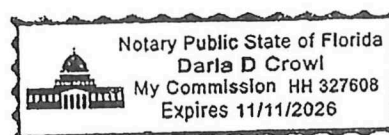
DONE AND ORDERED THIS 20 DAY OF April, 2023.

CODE ENFORCEMENT BOARD OF THE
CITY OF COCOA, FLORIDA


Chairman, Code Enforcement Board

I CERTIFY THAT A COPY OF THIS ORDER was furnished to Respondent(s) at L'LL SKUNK INC, whose mailing address is PO BOX 542349 MERRITT ISLAND FL 32954 this 20 day of April, 2023 via hand delivery/ certified mail/ U.S. mail/ posting (mark all that apply).


Secretary, Code Enforcement Board



8/29/24

CODE ENFORCEMENT BOARD
CITY OF COCOA, FLORIDA
CASE NO. 22-475
11/16/2023

THE CITY OF COCOA
A Florida Municipal Corporation

CFN 2023253798, OR BK 9945 PAGE 70
Recorded 12/04/2023 at 01:41 PM. Rachel M. Sadoff,
Clerk of Courts, Brevard County
Pgs:1

Complainant,

vs.

LEVENSALE, EDGAR
Owners of the Property located at:
213 FACTORY ST
Cocoa FL 32922

Parcel ID: 24-36-33-80-14-3.05

Respondent,

ORDER IMPOSING ADMINISTRATIVE FINE/LIEN

THIS CAUSE, having come for consideration, after being duly noticed, before the Code Enforcement Board of the City of Cocoa, Florida, on 11/16/2023 to determine whether any violations of the City of Cocoa Code of Ordinances existed on the property. The Board, having heard the arguments of the parties and the evidence presented and having reviewed the record and being otherwise fully advised, issued the Findings of Fact, Conclusions of Law and Order. The Order required the Respondent to come into compliance by 7/20/2023

At a duly noticed Compliance Hearing of Code Enforcement Board the Respondent was found in non-compliance of the Board Order. It is hereby Ordered that the City of Cocoa shall impose a fine in the amount of \$25.00 per day until **the removal of the millings** is corrected and full compliance is confirmed by the Code Enforcement Officer.

This Order shall be recorded in the public records for Brevard County, Florida, which shall serve as a lien against and upon any real or personal property owned by the Respondent pursuant to Section 162.08 and 162.09, Florida Statutes.

DONE AND ORDERED at Cocoa, Florida, this 16, day of November, 2023

CODE ENFORCEMENT BOARD OF THE CITY OF COCOA, FLORIDA


Lloyd Roberts, Chairman

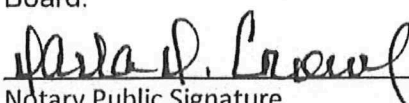
COCOA CITY
65 STONE ST

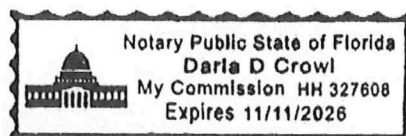
COCOA, FL 32922-7807

e

CERTIFICATION:
State of Florida, County of Brevard

I hereby certify that this is an Original Copy of the Order of the Code Enforcement Board that was acknowledged before me this 16 day of November, 2023, by Lloyd Roberts, Chairman of the City of Cocoa Code Enforcement Board.


Notary Public Signature



7/23/24

CODE ENFORCEMENT BOARD
CITY OF COCOA, FLORIDA
CASE NO. 22-475
11/16/2023

THE CITY OF COCOA
A Florida Municipal Corporation

CFN 2023253799 OR BK 9945 PAGE 71
Recorded 12/04/2023 at 01:41 PM Rachel M. Sadoff
Clerk of Courts, Brevard County
Pgs:1

Complainant,

vs.

LEVENSALE, EDGAR
Owners of the Property located at:
213 FACTORY ST
Cocoa FL 32922

Parcel ID: 24-36-33-80-14-3.05

Respondent,

ORDER IMPOSING ADMINISTRATIVE FINE/LIEN

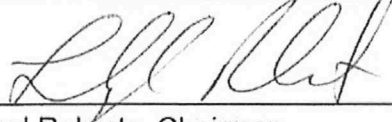
THIS CAUSE, having come for consideration, after being duly noticed, before the Code Enforcement Board of the City of Cocoa, Florida, on 11/16/2023 to determine whether any violations of the City of Cocoa Code of Ordinances existed on the property. The Board, having heard the arguments of the parties and the evidence presented and having reviewed the record and being otherwise fully advised, issued the Findings of Fact, Conclusions of Law and Order. The Order required the Respondent to come into compliance by 10/20/2023.

At a duly noticed Compliance Hearing of Code Enforcement Board the Respondent was found in non-compliance of the Board Order. It is hereby Ordered that the City of Cocoa shall impose a fine in the amount of \$50.00 per day until **Site Plan Approval Required, App. A Art. XIII, Sec. 1 (B)** is corrected and full compliance is confirmed by the Code Enforcement Officer.

This Order shall be recorded in the public records for Brevard County, Florida, which shall serve as a lien against and upon any real or personal property owned by the Respondent pursuant to Section 162.08 and 162.09, Florida Statutes.

DONE AND ORDERED at Cocoa, Florida, this 16, day of November, 2023

CODE ENFORCEMENT BOARD OF THE CITY OF COCOA, FLORIDA



Lloyd Roberts, Chairman

COCOA CITY
65 STONE ST

COCOA, FL 32922-7807

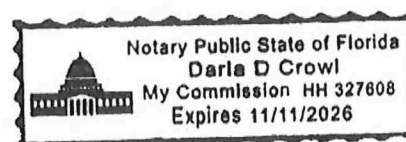
E

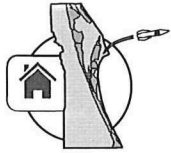
CERTIFICATION:
State of Florida, County of Brevard

I hereby certify that this is an Original Copy of the Order of the Code Enforcement Board that was acknowledged before me this 16 day of November, 2023, by Lloyd Roberts, Chairman of the City of Cocoa Code Enforcement Board.



Notary Public Signature



**Dana Blickley, CFA, Brevard County Property Appraiser**

Titusville • Viera • Melbourne • Palm Bay

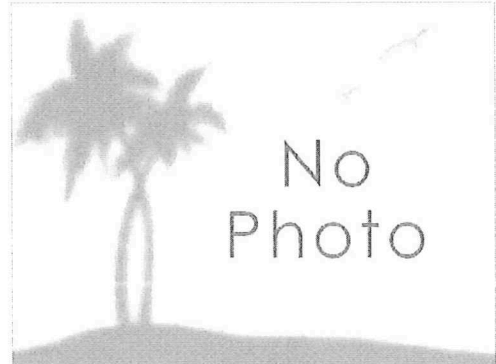
(321) 264-6700

www.BCPAO.us

Disclaimer

REAL PROPERTY DETAILS
Account 2426280 - Roll Year 2024

Owners	LEVENSALER, EDGAR
Mailing Address	PO BOX 542349 MERRITT ISLAND FL 32954
Site Address	213 FACTORY ST COCOA FL 32922 699 HUGHLETT AVE COCOA FL 32922
Parcel ID	24-36-33-80-14-6
Taxing District	23D0 - COCOA
Exemptions	NONE
Property Use	0353 - LOW RISE APARTMENTS - 2 OR 3 STORIES - 10 TO 49 U
Total Acres	0.99
Site Code	0001 - NO OTHER CODE APPL.
Plat Book/Page	0001/0071
Subdivision	S F TRAVIS ADDN TO COCOA
Land Description	S F TRAVIS ADDN TO COCOA LOT 6 TOGETHER WITH S 70 FT OF W 200 FT OF LOT 5 & E 50 FT OF W 100 FT OF THE FOLLOWING DESC S 10 FT OF LOT 3, LOT 4 & N 10 FT OF LOT 5 BLK 14

**VALUE SUMMARY**

Category	2024	2023	2022
Market Value	\$972,440	\$874,750	\$518,390
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$962,220	\$874,750	\$506,000
Assessed Value School	\$972,440	\$874,750	\$518,390
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$962,220	\$874,750	\$506,000
Taxable Value School	\$972,440	\$874,750	\$518,390

SALES / TRANSFERS

Date	Price	Type	Instrument
12/21/2022	--	QC	9715/1744
06/01/2022	\$1,925,000	WD	9529/1420
12/13/2019	\$1,325,000	WD	8616/1725
03/27/2019	--	DC	8413/0410
04/10/2018	--	QC	8155/0108
09/15/1983	--	QC	2456/0633
01/02/1968	\$84,000	--	1004/0285

BUILDINGS**PROPERTY DATA CARD #1****Building Use:** 0353 - LOW RISE APARTMENTS - 2 OR 3 STORIES - 10 TO 49 UNITS

Materials		Details	
Exterior Wall:	STUCCO	Year Built	1960
Frame:	MASNRYCONC	Story Height	8
Roof:	BU-TG/MMBRN	Floors	2
Roof Structure:	WOOD TRUSS	Residential Units	22
		Commercial Units	0
Sub-Areas		Extra Features	
Base Area (1st)	7,164	Fence - Chain Link 6'	720
Base Area (2nd)	7,164	Fence - Barb Wire	720
Open Porch	2,432	Paving - Asphalt	4,640
Total Base Area	14,328		
Total Sub Area	16,760		

CODE BOARD AGENDA ITEM

Memo Date: 06/09/2025
Agenda Date: 6/19/2025
Prepared By: Thomas Wilkinson, Code Enforcement Manager
Through: Charlene Neuterman, Community Services Director
Thomas Wilkinson, Code Enforcement Manager
Requested Action: The staff's recommendation is that the fine / lien be reduced to **\$1,864.48**, which is the cost of staff to prosecute this case.

BACKGROUND:

Lien Reduction Request For **49 Parkway Sy.**
Reference Case # **CE22-0695**

The Code Enforcement Board held a public hearing on **May 18, 2023**, at which time the Board found the owner, **Deborah Raskett**, in violation of the following:

- City Code Appendix A, Article XV Sec. 2(a) Permit required

The Code Enforcement Board provided the owners with sufficient time of **June 17, 2023**, to correct said violation(s). Therefore, consistent with the Code Enforcement Board's Order, a Non-Compliance Hearing was held on **July 20, 2023**.

The lien ran at **\$25.00** per day from **June 17, 2023**, until compliance was achieved on **January 19, 2024**. Code records show the case was closed, leaving a fine of **\$5,410.00**.

The property owner (**Deborah Raskett**) is requesting that the lien be reduced to the amount of **Zero**.

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; **Yes**
- Applicant resides at the property: **No**
- The number of violations related to the subject lien; **one**
- Number of Inspections performed: **8**
- 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, June 19, 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 is listed at \$63,090.00. According to the Brevard County Property Appraiser, the use is listed as **Single Family Residence**. The staff's recommendation is that the fine / lien be reduced to **\$1,864.48**, 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.

PRIORITY AREA CONNECTION:

Public Safety/Community Standards

BUDGETARY IMPACT:

Budgeted? Yes/No

If not budgeted, is amendment / transfer attached?

Source/Use of Funds

Account Number

Amount

If a P.O. Change Order is involved, please complete the following:

Change Order Amount: \$

Original Purchase Order Amount: \$

For this Agenda Item note Prior Change Order Information:

Total Number of change orders to date:

Total amount in change orders to date: \$

PREVIOUS ACTION:

The Code Enforcement Board held a public hearing on **May 18, 2023**, at which time the Board found the owner, **Deborah Raskett** in violation of the city Code.

RECOMMENDED MOTION:

The staff's recommendation is that the fine / lien be reduced to **\$1,864.48**, which is the cost of staff to prosecute this case.



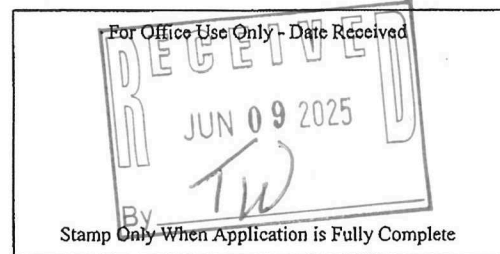
Application # CE - 22 - 695

LIEN REDUCTION APPLICATION

Cocoa Police Department
Code Enforcement Division
1226 W King Street
Cocoa, Florida 32922
Phone; (321) 433-8508

This application must be completed entirely. The property must be in compliance per the City Code Section 6-707(d), if the property does not meet the guidelines of the City Code the Lien Reduction Application will not be scheduled for a hearing before the Code Enforcement Board.

This form is divided into steps which will help you prepare your request, provide the necessary information, and prepare for the Code Enforcement Board and City Council hearing.



Please TYPE or PRINT this application neatly.

1. Date: 6-1-2025

2. Applicant Information: * NOTE: Applicant is the main contact, who must attend the meeting.

Company (if applicable): _____

Name: Deborah Raskett

Mailing Address: 2565 Washington St.

City: W. Melbourne State: FL Zip Code: 32908

Phone #: 321-728-1245 Fax #: _____

Mobile #: 321-728-1245 E-mail: hairreg1917@gmail.com
or Rhastance2@gmail.com

3. Property Owner Information:

* Check here if same as Applicant → ☒

* If more than one owner, attach additional sheet with names and addresses.

Company (if applicable): _____

Name: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Phone #: _____ Fax #: _____

Mobile #: _____ E-mail: _____

4. Information for property on which lien occurs:

Street Address and Location: 49 PARKWAY ST, COCOA, FL

Parcel ID:

24-36-28-84-#8

0000

Tax Account Number:

2421258

Existing Use(s) on Property: Single Family home

Proposed Use(s) on Property: _____

(If residential – (circle one) owner occupied or rental); if rental does property owner anticipate accepting any state or federal rental subsidies?

NO

Nature of Violation(s): PRIOR owner did work without permit

Date Fine or Lien Imposed: 2023
per day

Amount of Fine: 5,410

Have the violation(s) on the subject property been corrected: Yes / No (Circle one)

Date upon which the subject property was brought into compliance: JAN 2024

5. Please provide the following information:

Code enforcement case number: 22

Were you the property owner at the time the lien was imposed? Yes / No (Circle one) If so, how many days did it take from the board order to the date compliance was achieved? _____

If you were not the property at the time the violation occurred, were you aware of the lien when you purchased the property? Yes / No / NA (Circle one) If the property was not in compliance at the time you purchased the property how many days from the time of purchase did it take for you to come into compliance? _____

Did you receive the Notice of Violation issued by the Code Enforcement Division: Yes / No (Circle one)

Did you receive the Finding of Facts issued by the Code Enforcement Board: Yes / No (Circle one)

The factual basis upon which the application for reduction of the lien should be granted:

When I bought the property DENNIS BLUNT & TITLE Co. cleared this case up. I signed a piece of paper saying I would fix anything that needed to be fixed and get a permit & inspections when I go to work on it. See attached DENNIS BLUNT sent the title company that he closed out the case, therefore no money should have been accrued since case was closed

The reasons, if any, compliance was not obtained prior to the order of penalty or fine being recorded:

I thought the case was closed out just as
Dennis Blunt said and I received no paperwork that
a lien was ever being filed

Amount you are requesting that the lien be reduced to: 0

Please provide any other information deemed pertinent to this request, including but not limited to the circumstances that exist which would warrant the reduction or forgiveness of the penalty or fine. Include documentation of any financial investment made to physically improve the property:

when a case is closed verbally by the manager,
I and the title co relied on Dennis Blunt's word &
email, case closed as date of email, therefore no
finer should have been filed, NOT IN SUSPENSION

Are there any other properties within the jurisdictional limits of the City of Cocoa owned by the applicant and/or owners of the subject property on which code violations have been alleged, of which the case is still active, or a Finding of Facts has been entered by the Code Enforcement Board, if so please provide the address, the nature of violation and the status of such:

NO

6. Please submit the following items in order complete the application:

- a. ☐ **Notarized application.**
- b. ☐ **Reimbursement to City for recording costs at time of application.** Pursuant to Section 6-707(c), Code of the City of Cocoa, at the time of application, payment to the city in the amount necessary to reimburse the City for its costs associated with processing and recording the order imposing a penalty or fine and the requested satisfaction or release of lien. Please make checks payable to the 'City of Cocoa' and submit payment ONLY to the Community Services Department. Please note that these costs are non-refundable without regard for the final disposition of the application for satisfaction or release of lien. **The application fee is \$20.00 and will need to be paid at the time the application is submitted.**
- c. ☐ **Letter of authorization.** If the applicant is not the property owner, a notarized letter of authorization or agent affidavit is required, unless the applicant is the Attorney of the owner. Each property owner must complete a separate authorization form or other suitable documentation to allow the agent to act upon his/her behalf.
- d. ☐ **Corporate documents.** If the applicant/owner is representing a company, articles of incorporation which show the applicant/owner is authorized to represent the company is required. A data record printout from the Florida Department of State, Division of Corporations website may also be provided (<http://www.sunbiz.org/corpweb/inquiry/search.html>).
- e. ☐ **Additional information (optional).** Submit any information that may be helpful in understanding the request. This may include photos, sketches, elevations, or letters from adjoining property owners.

7. **Application Filing Procedure.** This application, together with all required exhibits and attachments, shall be completed and filed with the Code Enforcement Division by the third Friday of each month at 5:00 pm in order to be scheduled for public hearing for the following month.

8. **Procedure per City Code.** Section 6-707 states the City Lien Reduction rules and procedures for applying for a reduction. It is the applicant's responsibility to read and understand the rules and procedures that are located on page 6 of the Lien Reduction Application
9. **Board Action.** An Inspection of the property must be performed to be scheduled at the Code Board. Following a presentation by staff and testimony offered by the applicant, the Code Enforcement Board will formulate a recommendation to City Council.
10. **City Council Action.** An Inspection of the property must be performed to be scheduled before council. Following the Code Enforcement Board making a recommendation to the City Council, staff will schedule the item for the next available City Council regular meeting.
11. **Inspections.** I agree to allow Code Enforcement to inspect my property and give consent to walk the property before proceeding with this reduction ☒ YES ☐ NO

Signature below will also show that consent to inspect was given by the property owner or representative.

12. Signatures and Notarization.

STATE OF Florida COUNTY OF Brevard I, Deborah A. Raskest
being first duly sworn, depose and say that:

- ☐ I am the applicant, or if corporation, I am the officer of the corporation authorized to act on this request.
- ☐ I am the legal representative of the applicant of this application and a notarized Letter of Authorization form or agent affidavit accompanies this application giving written, unless the applicant is the Attorney representing the owner.

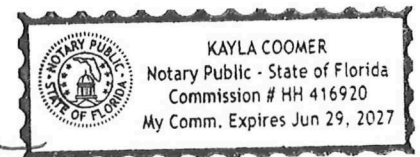
I hereby certify that I have read, completed and understand this Application and understand that if my application and all associated attachments are not complete and accurate in all respects, the application will not be scheduled for a public hearing. I further understand that this application must be complete and accurate prior to the advertising of a public hearing.

Deborah A. Raskest
(APPLICANT SIGNATURE)
Public)

KAYLA COOMER
(Print, Type, or Stamp Commissioned Name of Notary)

Personally Known ☐ OR Produced Identification ☒

Type of I.D. Produced Florida Drivers License



Kayla Coomer
(NOTARY PUBLIC SIGNATURE)

STATE OF FLORIDA, COUNTY OF BREVARD

Sworn and subscribed to before me this 9th day of JUNE, 20 25

Renee Wiebelt

From: Dennis Bunt <dbunt@cocoafl.org>
Sent: Thursday, October 13, 2022 11:30 AM
To: Logan Roberts; Guillermo Carbonell
Cc: Renee Wiebelt; Marco Delano; Torri Edwards; Joseph Salgot; Deborah Raskett
Subject: RE: House behind 49 parkway st

Yes, as mentioned in the past emails the code case was closed as of the date of the letter. Thank you



Dennis A Bunt
Code Enforcement Manager

1226 W King Street • Cocoa, FL 32922
(321) 433-

8544 • dbunt@cocoapolice.com • www.CocoaPolice.com



Serving our community with P.R.I.D.E!

*Code GNY
Justin Simpson
321-482-4600*

From: Logan Roberts <brevardcashhomebuyers@gmail.com>
Sent: Thursday, October 13, 2022 11:04 AM
To: Guillermo Carbonell <gcarbonell@cocoafl.gov>
Cc: Dennis Bunt <dbunt@cocoafl.org>; Renee Wiebelt <renee@theclosingplace.com>; Marco Delano <mdelano@cocoafl.gov>; Torri Edwards <tedwards@cocoafl.gov>; Joseph Salgot <jsalgot@cocoafl.gov>; Deborah Raskett <rlastdance2@gmail.com>
Subject: Re: House behind 49 parkway st

*(321-433-8544)
Tom WIKERSON
321-433-8508
COORD - DANIA CRAW
411-321-313-4636*

Hello, are we able to close out the code case now that we have provided confirmation that the buyer will cure the violations?

Thank you
Logan Roberts
321-693-5639

On Wednesday, October 12, 2022, Logan Roberts <brevardcashhomebuyers@gmail.com> wrote:

Hello, I have attached the confirmation from the buyer attesting to the property's condition and willingness to cure the pending violations.

Renee with the title company needs email confirmation that the code case has been closed out so that we can go ahead and close the transaction. Can you please provide an email to renee@theclosingplace.com giving confirmation that the code case has been closed out?

Thank you
Logan Roberts
321-693-5639

On Thursday, October 6, 2022, Guillermo Carbonell <gcarbonell@cocoafl.gov> wrote:

CITY OF COCOA
CODE ENFORCEMENT
STAFF REPORT

Lien Reduction Request For **49 Parkway Sy.**
Reference Case # **CE22-0695**

The Code Enforcement Board held a public hearing on **May 18, 2023**, at which time the Board found the owner, **Deborah Raskett** in violation of the following:

- City Code Appendix A, Article XV Sec. 2(a) Permit required

The Code Enforcement Board provided the owners with sufficient time of **June 17, 2023**, to correct said violation(s). Therefore, consistent with the Code Enforcement Board's Order a Non-Compliance Hearing was held on **July 20, 2023**.

The lien ran at **\$25.00** per day from **June 17, 2023** until compliance was achieved on **January 19, 2024**. Code records show the case was closed leaving a fine of **\$5,410.00**.

The property owner (**Deborah Raskett**) is requesting that the lien be reduced to the amount of **Zero**.

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; **Yes**
- Applicant resides at the property: **No**
- The number of violations related to the subject lien; **One**
- Number of Inspections performed: **8**
- 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, June 19, 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 is listed at \$63,090.00 according to the Brevard County Property Appraiser the use is listed as **Single Family Residence**.

The staff's recommendation is that the fine / lien be reduced to **\$1,864.48** 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.

**Cocoa Community Services
Code Enforcement Division
Affidavit for Cost Reimbursement of Code Enforcement Case**

Case#: CE22-0695

Date: 06/19/2025

Deborah Raskett

Site Address: 49 Parkway St.

Cocoa Code Enforcement has incurred actual costs, as defined in F.S.S 162.09 for cost by the City in Prosecuting this case.

A. Salaries of Code Enforcement staff. (Hourly rate: Officer-\$35.06, Coordinator-\$36.06, Manager-\$48.54, Chief-\$69.71 & City Attorney-\$150.00)

	Officer/Manager	# of Inspections	Hours	Rate	Total
1	Code Officer	8	0.75	\$35.06	\$210.36
2	Code Manager	4	0.75	\$48.54	\$145.62
3					
				Total A1	\$355.98

	Officer/Manager	Office Duties	Hours	Rate	Total
1	Code Officer	10	0.5	35.06	\$350.60
2	Code Manager	6	0.5	48.54	\$291.24
3					
				Total A2	\$641.84

	Supporting Staff	Duty	Hours	Rate	Total
1	Code Coordinator	Case Duties	6	\$36.06	\$216.36
2	City Attorney	Case Duties	3	\$150.00	\$450.00
3	Chief	Board Hearings	0	\$69.71	\$0.00
4					
5					
				Total A3	\$666.36

B. Expenditures - Actual expenses incurred during the process of the Code Case.

	Item	Quantity	Amount	Total
1	Documents per Sheet	350	\$0.35	\$122.50
2	Large Envelope	25	\$0.64	\$16.00
3	Standard Envelope	12	\$0.10	\$1.20
4	Color Photo Prints	20	\$0.55	\$11.00
5	Standard Mail	6	\$0.55	\$3.30
6	Certified Mail	5	\$5.26	\$26.30
7	Recording Fees	2	\$10.00	\$20.00
8				
9				
			Total B	\$200.30

C. Total Amount of Cost (A1+A2+A3+B):

\$1,864.48

CODE ENFORCEMENT BOARD
CITY OF COCOA, FLORIDA
CASE NO. 22-0695

THE CITY OF COCOA

A Florida Municipal Corporation,
Complainant,

vs.

RASKETT, DEBORAH ANN

Owners of the Property located at:

49 PARKWAY ST

Cocoa, FL 32922

Parcel ID: 24-36-28-84-*8

Respondent,

_____ /

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

THIS CAUSE, having come for consideration, after being duly noticed, before the Code Enforcement Board of the City of Cocoa, Florida, on May 18, 2023 to determine whether any violations of the City of Cocoa Code of Ordinances exist or existed on the property. The Board, having heard the arguments of the parties and the evidence presented and having reviewed the record and being otherwise fully advised, makes the following Findings of Fact, Conclusions of Law and Order as set forth herein.

Findings of Fact and Conclusions of Law

Based upon the evidence and testimony presented at this hearing, the Code Enforcement Board finds: That a code enforcement officer of the City of Cocoa determined the Subject Property was in violation of:

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

☐ Select Code Violation

☐ Select Code Violation

☐ Select Code Violation

of the City Code, and issued a Notice of Violation to Respondent giving a reasonable time to correct the violation(s).

1. That Respondent failed to correct such violation(s) within the reasonable time period provided in the Notice of Violation. Pursuant to section 162.06, Florida Statutes, this hearing was scheduled. Proper written notice of this hearing was given to Respondent.

2. That based on the testimony and evidence presented, including Staff's presentation, the Board finds Respondent is in violation of the following violations of the City Code:

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

☐ Select Code Violation

☐ Select Code Violation

☐ Select Code Violation

Order

BASED UPON THE FOREGOING FACTS AND CONCLUSIONS OF LAW, IT IS HEREBY ORDERED:

1. Respondent shall be given until June 17, 2023 to correct all violations set forth herein on the property.

2. If Respondent fails to correct all cited violations within the time period set forth herein, the Code Enforcement Officer shall schedule this Case to appear for a compliance hearing before the Code Enforcement Board at a date to be determined, where the sole issue to be considered is whether compliance has been achieved on all violations. Respondent will be given an opportunity to appear and present evidence regarding compliance.

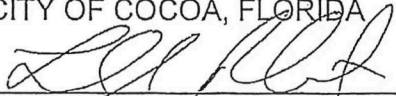
3. Upon a finding by the Code Enforcement Board that the property was not brought into compliance by the date set forth in this Order, a fine in the amount of **\$25.00** per day may be imposed for each and every day any of the violations continue past the above-stated date ordered for compliance by the Board and the daily fines shall continue to run until the violation is corrected and full compliance is confirmed by the Code Enforcement Officer. Respondent shall be responsible to immediately notify the Code Enforcement Officer if the property has been brought into compliance.

4. If the Board finds Respondent failed to comply with all violations by the date set forth herein, an Order Imposing Fine shall be entered and a certified copy of said Order may be recorded in the public records of Brevard County, Florida, which shall serve as a lien against the property.

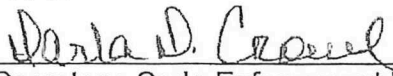
Once the violations have been corrected, any of the same violations by Respondent within five years may constitute a repeat violation where the Board may impose a fine of up to \$500.00 per day for each day the violation exists beginning the day the repeat violation is first observed by the Code Enforcement Officer.

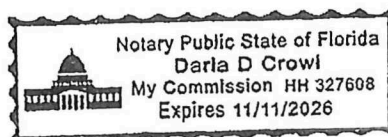
DONE AND ORDERED THIS 18 DAY OF May, 2023.

CODE ENFORCEMENT BOARD OF THE
CITY OF COCOA, FLORIDA


Chairman, Code Enforcement Board

I CERTIFY THAT A COPY OF THIS ORDER was furnished to Respondent(s) at RASKETT, DEBORAH ANN, whose mailing address is 2565 WASHINGTON ST MELBOURNE FL 32904 this 18 day of May, 2023 via hand delivery/ certified mail/ ☒ U.S. mail/ posting (mark all that apply).


Secretary, Code Enforcement Board



violations on the property. Mr. Davis asked the results of the meeting. Ms. Kilgallon discussed each violation and she can comply each violation. Manager Bunt went over how to comply some of the violations. Manager Bunt said a timeline needed to be set for each violation and ask the Board Members for more time. More discussion amongst the Board members and staff.

Motion by Ms. Scott, seconded by Mr. Davis, to amend Staff's recommendation and table until July 20, 2023 with an action plan for the Board Members and find the Property Owner in violation. Vote on the motion carried unanimously.

6. CE-22-0828 – 1050 W King St.

Code Enforcement Officer Augusto Gonzalez provided an overview of the Case history and presented exhibits for the Board's review. Officer Gonzalez testified that the Property Owner was in violation of ***Accum. Of Trash and Litter Ch 6 Sec. 6-900 (b)(1)a-d, Exterior General Condition Ch 6 Sec. 6-1003 (a), Boarded Up Buildings Ch. 6 Sec. 6-900 (b)(5) and Roofs & Drainage, Ch 6 Sec. 6-1003 (g)*** of the City Code.

Officer Gonzalez requested that the Board find the Property Owner in violation and be given until June 17, 2023 (30 days) to come into compliance and a fine be imposed of one hundred dollars (\$100.00) per day until found in compliance.

Property owner was sworn in: Joseph Friancheno, 4022 Canaveral Groves Blvd.

Mr. Friancheno wanted more time to fix the property. Mr. Friancheno has been getting quotes from roofing contractors. He stated that he will continue to clean and paint the property. Chairman Roberts asked what did he think he could get done in 180 days that he hasn't gotten done in 188 days. Mr. Davis asked if there was a trespass order and Manager Bunt stated there was one for the property. Ms. Scott asked about the boarded-up windows and how long can they be boarded up. More discussion amongst the Board members and staff.

Motion by Mr. Davis, seconded by Ms. Scott, to amend Staff's recommendation and be given July 17, 2023 (60 days) and find the Property Owner in violation. Vote on the motion carried unanimously.

7. CE-22-0695 – 49 Parkway St.

Code Enforcement Officer Augusto Gonzalez provided an overview of the Case history and presented exhibits for the Board's review. Officer Gonzalez testified that the Property Owner was in violation of ***Permit Required, App A. Art. XV Sec. 2 (a)*** of the City Code.

Officer Gonzalez requested that the Board find the Property Owner in violation and be given until June 17, 2023 (30 days) to come into compliance and impose a fine of twenty-five dollars (\$25.00) per day until found in compliance.

Discussion amongst the Board members and staff.

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

8. CE-23-0220 – Parcel ID: 24-36-17-53-13-12

Code Enforcement Officer Augusto Gonzalez provided an overview of the Case history and presented exhibits for the Board's review. Officer Gonzalez testified that the Property Owner was in violation of ***Tree Protection and Preservation, App A. Art. XIII, Sec. 22 (E) (1-4)*** of the City Code.

Officer Gonzalez requested that the Board find the Property Owner in violation and be given until June 17, 2023 (30 days) to come into compliance and a fine be imposed of two hundred and fifty dollars (\$250.00) per day until found in compliance.

Property owner was sworn in: Keith Bennett, 2555 Elm Hurst St, Merritt Island & Brandon Grenet, 336 Carleton Dr, Cocoa

Mr. Bennett stated that when he cleared the property that it was peppertrees and potato vines. He stated that he didn't have any contact with anyone. Manager Bunt gave the Board an overview of what had been going on with the property. He was asked to move the vehicles off of the property and he put down rock which was not an approved substance for a driveway. Mr. Bennett was sited to get a site plan as he was beginning to develop the lot for a roofing company. Mr. Bennett decided he wasn't going to get a site plan. Mr. Davis asked what the zoning was for the property. Tree mitigation fees set by Planning and Zoning were explained by Attorney Eick. More discussion amongst the Board members and staff.

Motion by Mr. Davis, seconded by Mr. Simpson, to approve Staff's recommendation with the added wording to work with Planning and Zoning on the mitigation and find the Property Owner in violation. Vote on the motion carried unanimously.

9. CE-22-0317 – 1212 Myrtle Ln

Code Enforcement Officer Augusto Gonzalez provided an overview of the Case history and presented exhibits for the Board's review. Officer Gonzalez testified that the Property Owner was in violation of ***Accessory Structures Ch 6 Sec. 6-1001 (g), Exterior General Condition, Ch. 6 Sec. 6-1003 (a), Interior Structure Ch 6 Sec. 6-1004 (a-f) and Permit Required App A Art. XV Sec 2 (a)*** of the City Code.

NON-COMPLIANCE:

1. CE-22-516 – 122 Polaris St.

Code Enforcement Officer Augusto Gonzalez provided an overview of the Case history and presented exhibits for the Board's review. Officer Gonzalez testified that the Property Owner is in violation of ***Storing Junk or Autos, Ch 6 Sec. 6-902 (b)(1)(2) and Storing Outdoors, Ch 6 Sec. 6-900 (b)(11)*** of the City of Cocoa Code. Officer Gonzalez stated a Notice of Hearing was sent on July 6, 2023 and property owner remains in violation.

Property owner was sworn in: JoDawn Sparo & Jaquan Harvey, 122 Polaris St.

Ms. Sparo stated that the car has been registered. She brought the tag and registration with her. Mr. Harvey stated the car under the cover does run and the cover keeps his speakers from being ruined. Manager Bunt let the Board make the decision whether they are in compliance and no fines be imposed. If found in violation again a Repeat would start to run the day of the violation.

More discussion amongst the Board members and staff.

Motion by Mr. Davis seconded by Ms. Ramirez, to amend Staff's recommendation and find the Owner to have been in Non-Compliance and are in compliance as of the date of the Hearing, July 20, 2023 and no fines shall be imposed. If found in violation again a Repeat would start to run the day of the violation. Vote on the motion carried unanimously.

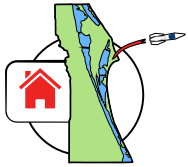
2. CE-22-695 – 49 Parkway St.

Code Enforcement Officer Augusto Gonzalez provided an overview of the Case history and presented exhibits for the Board's review. Officer Gonzalez testified that the Property Owner is in violation of ***Permit Required App A Art. XV Sec 2(a)*** of the City of Cocoa Code. Officer Gonzalez stated a Notice of Hearing was sent on July 6, 2023 and property owner remains in violation.

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

3. CE-23-220 – Tax # 2413928 (24-36-17-53-13-12)

This case was tabled at the request of Lucy in Planning and Zoning as she is waiting on the final documents for his tree replacement plan. This will not change the compliance date of June 17, 2023.

**REAL PROPERTY DETAILS**
Account 2421258 - Roll Year 2024

Owners	RASKETT, DEBORAH ANN
Mailing Address	2565 WASHINGTON ST MELBOURNE FL 32904
Site Address	466 FORREST AVE COCOA FL 32922 49 PARKWAY ST COCOA FL 32922 51 PARKWAY ST COCOA FL 32922
Parcel ID	24-36-28-84-*8
Taxing District	23D0 - COCOA
Exemptions	NONE
Property Use	0815 - HOUSE AND IMPROVEMENT NOT SUITABLE FOR OCCUPANCY
Total Acres	0.19
Site Code	0001 - NO OTHER CODE APPL.
Plat Book/Page	0003/0062
Subdivision	B C SNYDERS FORREST PK ALLOTMENT TO COCOA
Land Description	B C SNYDERS FORREST PK ALLOTMENT TO COCOA LOTS 8 & 9 RESUBD

**VALUE SUMMARY**

Category	2024	2023	2022
Market Value	\$63,090	\$65,920	\$65,640
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$63,090	\$65,920	\$64,200
Assessed Value School	\$63,090	\$65,920	\$65,640
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$63,090	\$65,920	\$64,200
Taxable Value School	\$63,090	\$65,920	\$65,640

SALES / TRANSFERS

Date	Price	Type	Instrument
10/10/2022	\$180,000	WD	9640/1741
06/30/2015	\$90,000	WD	7400/1038
07/30/1992	\$76,600	WD	3217/3332
08/01/1991	\$82,000	PT	3143/0646
07/01/1991	--	PT	3140/0514
12/01/1989	--	PT	3035/2943
10/01/1987	\$59,900	PT	2846/1174
03/30/1987	--	QC	2808/2945

BUILDINGS**PROPERTY DATA CARD #1****Building Use:** 0164 - RESIDENTIAL IMPROVEMENT NOT SUITABLE FOR OCCUPANCY

Materials		Details	
Exterior Wall:	BRD/LAP SIDING	Year Built	1923
Frame:	WOOD FRAME	Story Height	8
Roof:	ASPH/ASB SHNGL	Floors	1
Roof Structure:	HIP/GABLE	Residential Units	1
		Commercial Units	0
Sub-Areas		Extra Features	
Base Area (1st)	480	Wood Deck	140
Screen Porch	84	Fireplace	1
Total Base Area	480		
Total Sub Area	564		

PROPERTY DATA CARD #2**Building Use:** 0164 - RESIDENTIAL IMPROVEMENT NOT SUITABLE FOR OCCUPANCY

Materials		Details	
Exterior Wall:	STUCCO	Year Built	1935
Frame:	WOOD FRAME	Story Height	8
Roof:	SHEET METAL	Floors	1

Materials		Details	
Roof Structure:	HIP/GABLE	Residential Units	1
		Commercial Units	0
Sub-Areas		Extra Features	
Base Area (1st)	532	Fireplace	1
Screen Porch	48		
Total Base Area	532		
Total Sub Area	580		

PROPERTY DATA CARD #3

Building Use: 0110 - SINGLE FAMILY RESIDENCE			
Materials		Details	
Exterior Wall:	BRD/LAP SIDING	Year Built	1935
Frame:	WOOD FRAME	Story Height	8
Roof:	SHEET METAL	Floors	1
Roof Structure:	HIP/GABLE	Residential Units	1
		Commercial Units	0
Sub-Areas		Extra Features	
Base Area (1st)	720	Fireplace	1
Screen Porch	112		
Total Base Area	720		
Total Sub Area	832		