

**Code Enforcement Board
Meeting Minutes
October 17, 2019**

A meeting of the Code Enforcement Board of the City of Cocoa was held on Thursday, October 17, 2019 in the Council Chambers at 65 Stone Street, Cocoa, as publicly noticed.

OPENING MATTERS:

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

MEMBERS PRESENT:

Jim Gifford	Chairman
George Brown, Jr.	Vice-Chairman
David Lightholder	Board Member
Scott Hannon	Board Member
Edward Green	Board Member
Lloyd Roberts	Board Member

MEMBERS ABSENT:

Virginia Weaver	Board Member
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OTHERS PRESENT:

Dennis Bunt	Code Enforcement Manager
Anthony Marchica	Police Lieutenant
Steve Murdick	Code Enforcement Officer
Don Boisvert	Councilman/Liaison
Debra Babb-Nutcher	Board Attorney
Darla Crowl	Recording Secretary

The Board Secretary swore in all Staff members giving testimony.

APPROVAL OF AGENDA AND MINUTES:

1. Approval of Agenda: October 17, 2019

Motion by Mr. Lightholder, seconded by Mr. Green, to approve to the agenda of October 17, 2019. Vote on the motion carried unanimously.

2. Approval of Meeting Minutes: September 19, 2019.

Motion by Mr. Green, seconded by Mr. Lightholder, to approve the minutes of September 19, 2019. Vote on the motion carried unanimously.

CASES:

1. CE-19-128 – 616 S Cocoa Blvd

Code Enforcement Officer Steve Murdick provided an overview of the Case history and presented exhibits for the Board's review. Officer Murdick testified that the Property Owner was in violation of *XXIX.Roofs & Drainage, Ch 6 Sec. 6-1003 (g)* of the City Code.

Officer Murdick requested that the Board find the Property Owner in violation and be given until November 18, 2019 (30 days) to come into compliance or 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. Green, seconded by Mr. Lightholder, to approve Staff's recommendation and find the Property Owner in violation. Vote on the motion carried unanimously.

2. CE-18-161 – 1214 Dixon Blvd.

Code Enforcement Officer Steve Murdick provided an overview of the Case history and presented exhibits for the Board's review. Officer Murdick testified that the Property Owner was in violation of *II.Accum. Of Trash and Litter Ch 6 Sec. 6-900 (b)(1)a-d, XXXVI.Weeds, Ch 6 Sec. 6-1001(d), XV.Maint of Struct/Grounds Ch 6 Sec. 6-900 (b)(4) a-c, I.Accessory Structures Ch 6 Sec. 6-1001 (g), IV.Boarded Up Buildings Ch. 6 Sec. 6-900 (b)(5), Sidewalks and driveways. Ch 6 Sec. 6-1001 (c), XI.Fail to Secure Struct Ch 6 Sec. 6-900 (b)(7), XXVII.Protective Treatment, Ch 6 Sec. 6-1003 (b), X.Exterior Walls Ch 6 Sec. 6-1003 (f), XXIX.Roofs & Drainage, Ch 6 Sec.6-1003 (g), Overhang extensions, Ch 6 Sec.6-1003(i), XII.Handrails/ Guardrails Ch 6 Sec. 6-1003 (l), Stairways, decks, porches and balconies, Ch 6 Sec. 6-1003 (j), XXXIII.Window, Door & Frame, Ch 6 Sec. 6-1003 (m) and XIV.Landscape Requirements App A Art. XIII Sec 22 (a-i)* of the City Code.

Officer Murdick requested that the Board find the Property Owner in violation and be given until December 18, 2019 (60 days) to come into compliance or impose a fine of two hundred fifty dollars (\$250.00) per day until found in compliance.

Property owner was sworn in: Errol Beckford, Pastor at the Celebration Tabernacle church

Discussion amongst the Board members and staff. Attorney Babb-Nutcher asked Chairman Gifford if all of the Board Members were comfortable understanding what all of the violations are because she would like Officer Murdick to explain what pictures go with what violations. Officer Murdick did an overview of which picture went with the picture shown.

Several questions by the Board members about the pictures to clarify what was the actual violations. Mr. Beckford requested the board give him more time to fix the property as he has hired a maintenance crew to fix the violations. Mr. Beckford is requesting 90 days to fix all of the violations. Manager Bunt stated that staff does not object to giving the property owner until January 18, 2020 (90 days).

Motion by Mr. Brown, seconded by Mr. Roberts, to amend Staff's recommendation and find the Property Owner in violation. Vote on the motion carried unanimously.

3. CE-19-130 – 440 S Cocoa Blvd.

Code Enforcement Officer Steve Murdick provided an overview of the Case history and presented exhibits for the Board's review. Officer Murdick testified that the Property Owner was in violation of *XXVII. Protective Treatment, Ch 6 Sec. 6-1003 (b)*, and *X. Exterior Walls Ch 6 Sec. 6-1003 (f)* of the City Code.

Officer Murdick requested that the Board find the Property Owner in violation and be given until November 18, 2019 (30 days) to come into compliance or impose a fine of fifty dollars (\$50.00) per day until found in compliance.

Discussion amongst the Board members and staff.

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

4. CE-19-138 – 112 Derby St.

Code Enforcement Officer Steve Murdick provided an overview of the Case history and presented exhibits for the Board's review. Officer Murdick testified that the Property Owner was in violation of *XXVII. Protective Treatment, Ch 6 Sec. 6-1003 (b)* and *XXIX. Roofs & Drainage, Ch 6 Sec. 6-1003 (g)* of the City Code.

Officer Murdick requested that the Board find the Property Owner in violation and be given until January 18, 2019 (90 days) to come into compliance or impose a fine of fifty dollars (\$50.00) per day until found in compliance.

Chairman Gifford asked Officer Murdick if he had amended his recommendation to (90 days). Manager Bunt let the Board members know they had amended the order because the property representative had come into the office and stated they are looking to demolish the building and they are getting quotes for the demolition. Mr. Green had questions about other violations on the property. Officer Murdick stated there is a prior code case and the fines are running concurrently with other code violations. Aleck gave an overview of the issues that are going on at the property. He

has been speaking with the property owner and trying to talk to her about having the building torn down. The representative spoke with the Community Services Director about going through the City to have this building demolished for a cheaper cost. Attorney Babb-Nutcher stated that the Board was there to talk about the two (2) violations not a demo. More discussion between staff and the representative.

Property representative was sworn in: Aleck Greenwood, 640 Brevard Ave.

Discussion amongst the Board members and staff.

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

5. CE-19-149 – 1046 Dixon Blvd

Code Enforcement Officer Steve Murdick provided an overview of the Case history and presented exhibits for the Board's review. Officer Murdick testified that the Property Owner was in violation of *XXVII. Protective Treatment, Ch 6 Sec. 6-1003 (b), Sidewalks and driveways., Ch 6 Sec. 6-1001 (c) and II. Accum. Of Trash and Litter Ch 6 Sec. 6-900 (b)(1)a-d* of the City Code.

Officer Murdick requested that the Board find the Property Owner in violation and be given until November 18, 2019 (30 days) to come into compliance or impose a fine of seventy-five dollars (\$75.00.00) per day until found in compliance.

Discussion amongst the Board members and staff. Mr. Gifford asked Manager Bunt if staff would have a problem with giving the property owner more time. Manager Bunt stated that staff does not object to giving the property owner until January 18, 2020 (90 days). Mr. Brown had questions about the parking lot. Manager Bunt explained they had already started patching the holes and should have the repairs done with the given time.

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

6. CE-2019-0026 – 10 Carmalt St.

This case has complied.

FIRE DEPARTMENT CODE CASE:

None

NON-COMPLIANCE:

1. CE-19-400 – 1311 N Fiske Blvd.

Code Enforcement Officer Steve Murdick provided an overview of the Case history and presented exhibits for the Board's review. Officer Murdick testified that the Property Owner is in violation of *XXII. Permit Required App A Art. XV Sec 2 (a), APP. A, ART. XI, Sec. 3.-District and intent—RU-1-7, Single-Family Residential District* and *XXXIII. Storing Outdoors, Ch 6 Sec. 6-900 (b)(11)* of the City of Cocoa Code. Officer Murdick stated a Notice of Hearing was sent on August 15, 2019 and property owner remains in violation.

Property owner representative was sworn in: Anthony Avera, 1311 N Fiske Blvd.

Mr. Avera spoke to the board about the property and what his plan for cleaning it up. Mr. Gifford explained to Mr. Avera that the noncompliance hearing was to determine whether he was or was not in compliance and the fines that were going to start as of the date given to him at the last Code Board meeting. Manager Bunt explained to the Board members enclosing a carport without a permit or permit needed, outside storage and running a business in a residential area are still in violation. More discussion amongst the Board members and staff.

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

2. CE-19-208 – 1111 Broadmoor 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 *XXVII. Protective Treatment, Ch 6 Sec. 6-1003 (b), II. Accum. Of Trash and Litter Ch 6 Sec. 6-900 (b)(1)a-d, XX. Parking in Yard Ch 6 Sec. 6-900 (b)(9) and XXXIII. Storing Outdoors, Ch 6 Sec. 6-900 (b)(11)* of the City of Cocoa Code. Officer Murdick stated a Notice of Hearing was sent on June 20, 2019 and property owner remains in violation.

Property owner was not present.

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

LIEN REDUCTION:

None

ABATEMENT APPEALS:

None

Manager Announcements:

None

DEMOLITION APPEALS:

None

OTHER BUSINESS:

Mr. Brown asked to speak to the Code Board members and staff.

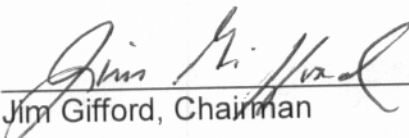
NEXT MEETING:

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

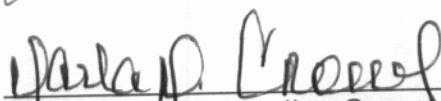
ADJOURNMENT:

There being no further business the meeting adjourned at 6:53 PM.

Approved on this 26 day of November, 2019.



Jim Gifford, Chairman



Darla Crowl, Recording Secretary

