

**Code Enforcement Board  
Meeting Minutes  
September 20, 2018**

A regular meeting of the Code Enforcement Board of the City of Cocoa was held on Thursday, September 20, 2018 in the Council Chambers at 65 Stone Street, Cocoa, as publicly noticed.

**OPENING MATTERS:**

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

**MEMBERS PRESENT:**

|                   |                             |
|-------------------|-----------------------------|
| Jim Gifford       | Chairman                    |
| George Brown, Jr. | Vice-Chairman               |
| Virginia Weaver   | Board Member – arrived 6:01 |
| David Lightholder | Board Member                |
| Stephanie Moretto | Board Member                |
| Edward Green      | Board Member                |

**MEMBERS ABSENT:**

|                   |              |
|-------------------|--------------|
| Michael Cirerella | Board Member |
|-------------------|--------------|

**OTHERS PRESENT:**

|                    |                          |
|--------------------|--------------------------|
| Dennis Bunt        | Code Enforcement Manager |
| Mike Cantaloupe    | Police Chief             |
| Brian Fose         | Code Enforcement Officer |
| 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 Meeting Agenda: September 20, 2018

Motion by Ms. Weaver, seconded by Mr. Brown, to approve the agenda of September 20, 2018 as amended. Vote on the motion carried unanimously (6-0).

2. Approval of Minutes by Ms. Weaver, seconded by Mr. Brown, to approve the minutes of July 19, 2018, as written. Vote on the motion carried unanimously (6-0).
3. Approval of Minutes by Ms. Weaver, seconded by Mr. Brown, to approve the minutes of August 16, 2018, as written. Vote on the motion carried unanimously (6-0).

**NEW BUSINESS:**

None

**CASES:**

**1. CE-17-698 – 621 Paw Paw 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)*, *XXXIII.Storing Outdoors, Ch 6 Sec. 6-900 (b)(11)* 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 October 19, 2018 (30 days) to come into compliance or impose a fine of seventy-five dollars (\$75.00) per day until found in compliance.

Carlos Reyna husband for the property owner was present and sworn in.

Mr. Brown asked about the (2) boarded up windows. Code Enforcement Manager Bunt explained the first window (1) has an a/c unit which needs to be painted and the second window (2) will need to be removed. Fascia has been repaired.

Discussion amongst the Board members and staff. Motion by Ms. Weaver, seconded by Mr. Brown, to approve Staff's recommendation and find the Property Owner in violation. Vote on the motion carried unanimously (6-0).

**2. CE-18-077 – 93 Prospect Ave.**

Code Enforcement Officer Steve Murdick provided an overview of the Case history and presented exhibits for the Board's review. Officer Murdick testified that the Property Owner was in violation of *XXXIII.Storing Outdoors, Ch 6 Sec. 6-900 (b)(11)*, *I.Accessory Structures Ch 6 Sec. 6-1001 (g)* and *XXXVI.Weeds, Ch 6 Sec. 6-1001(d)* of the City Code.

Officer Murdick requested that the Board find the Property Owner in violation and be given until October 19, 2018 (30 days) to come into compliance or impose a fine of seventy-five dollars (\$75.00) per day until found in compliance.

Thomas Studstill, 419 Roosevelt Ave. representative for the property was sworn in. Tommy Youngblood, 93 Prospect Ave. son of the property owner was sworn in. Mr.

Studstill and Mr. Youngblood discussed how to fix all of the violations and asked for more time to come into compliance.

Discussion amongst the Board members to amend the amount of days to (60 days) November 18, 2018 to come into compliance or impose a fine of seventy-five dollars (\$75.00) per day until found in compliance.

Motion by Ms. Weaver, seconded by Ms. Moretto, to amend Staff's recommendation and find the Property Owner in violation. Vote on the motion carried unanimously (6-0).

### **3. CE-18-098- 509 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 was in violation of *IX.Exterior General Condition Ch 6 Sec. 6-1003 (a), IV.Boarded Up Buildings Ch. 6 Sec. 6-900 (b)(5), XXIV.Pools and Spas Ch 6 Sec. 6-1002 (a) and XXXVI.Weeds, Ch 6 Sec. 6-1001(d)* of the City Code.

Officer Murdick requested that the Board find the Property Owner in violation and be given until October 19, 2018 (30 days) to come into compliance or impose a fine of one hundred dollars (\$100.00) per day until found in compliance.

Guy E Halgren, 509 N Indian River Dr property owner was sworn in. Discussion between the board and the property owner to get the outside of the property cleaned up with cutting the grass, cleaning up the outside storage and painting the boards. Keep in contact with Code Enforcement Officer Murdick.

Motion by Mr. Brown, seconded by Ms. Weaver, to approve Staff's recommendation and find the Property Owner in violation. Vote on the motion carried unanimously (6-0).

### **4. CE-18-170 – 916 Kensington 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 was in violation of *XX.Parking in Yard Ch 6 Sec. 6-900 (b)(9), XXXII.Storing Junk or Autos, Ch 6 Sec. 6-902 (b)(1)(2), XXVII.Protective Treatment, Ch 6 Sec. 6-1003 (b) and Sec. 6-900 (b)(1)a-d Accumulation of Trash and Litter. Sec.6-1001 (g) Accessory Structures Sec. 6-900 (b)(5) Boarded Up Buildings of the City Code.*

Officer Murdick requested that the Board find the Property Owner in violation and be given until October 19, 2018 (30 days) to come into compliance or impose a fine of one hundred fifty dollars (\$150.00) per day until found in compliance.

Timothy Nall, 916 Kensington Dr. was sworn in. Mr. Nall is a representative for the owner.

Discussion between Mr. Nall, Code Enforcement Officer Murdick and Code Enforcement Manager Bunt went over each item to be fixed. Mr. Nall requested more time to fix the property. After discussion amongst the Board members and staff they amended Code Enforcements recommendation to give the owner until November 18, 2018 (60 days) to come into compliance.

Motion by Ms. Weaver, seconded by Ms. Moretto, to amend Staff's recommendation and find the Property Owner in violation. Vote on the motion carried unanimously (6-0).

#### **5. CE-18-248 – 708 Ixora Ave.**

Code Enforcement Officer Steve Murdick provided an overview of the Case history and presented exhibits for the Board's review. Officer Murdick testified that the Property Owner was in violation of *XXII. Permit Required App A Art. XV Sec 2 (a)*, *XXXIII. Storing Outdoors, Ch 6 Sec. 6-900 (b)(11)*, *XXXII. Storing Junk or Autos, Ch 6 Sec. 6-902 (b)(1)(2)* and *\*Sec. 6-900 (b)(1)a-d Accumulation of Trash and Litter Sec. 6-1001(d) Weeds and overgrowth Sec. 6-1001 (g) Accessory Structures* of the City Code.

Phillip Adams, 708 Ixora Ave was sworn in.

Officer Murdick requested that the Board find the Property Owner in violation and be given until October 19, 2018 (30 days) to come into compliance or impose a fine of one hundred fifty dollars (\$150.00) per day until found in compliance.

Discussion amongst the Board members and staff.

Motion by Ms Moretto, seconded by Ms. Weaver, to approve Staff's recommendation and find the Property Owner in violation. Vote on the motion carried unanimously (6-0).

#### **6. CE-18-357 – 1215 Counts St.**

Code Enforcement Officer Brian Fose provided an overview of the Case history and presented exhibits for the Board's review. Officer Fose testified that the Property Owner was in violation of *XXVII. Protective Treatment, Ch 6 Sec. 6-1003 (b)*, *XXXIII. Storing Outdoors, Ch 6 Sec. 6-900 (b)(11)* and *I. Accessory Structures Ch 6 Sec. 6-1001 (g)* of the City Code.

Officer Fose requested that the Board find the Property Owner in violation and be given until October 19, 2018 (30 days) to come into compliance or impose a fine of seventy-five dollars (\$75.00) per day until found in compliance.

Discussion amongst the Board members and staff. Dave Lightholder stepped out of council chambers and was not there for the discussion or the vote.

Motion by Ms Weaver, seconded by Ms. Moretto, to approve Staff's recommendation and find the Property Owner in violation. Vote on the motion carried unanimously (5-0).

#### **7. CE-18-341 – 1205 Counts St.**

This case was tabled.

#### **8. CE-17-756 – 1041 W Hillcrest Dr.**

Code Enforcement Officer Brian Fose provided an overview of the Case history and presented exhibits for the Board's review. Officer Fose testified that the Property Owner was in violation of *XXIX.Roofs & Drainage, Ch 6 Sec. 6-1003 (g)*, *XXXIII.Storing Outdoors, Ch 6 Sec. 6-900 (b)(11)* and *XXVII.Protective Treatment, Ch 6 Sec. 6-1003 (b)* of the City Code.

Willie Young, 1041 W Hillcrest Dr was sworn in. He was the representative of the property. Mr. Young disagreed with staff and board members. Code Manager Bunt explained that the roof needs a permit.

Discussion amongst the Board members and staff. Dave Lightholder returned to the council chambers.

Officer Fose requested that the Board find the Property Owner in violation and be given until October 19, 2018 (30 days) to come into compliance or impose a fine of seventy-five dollars (\$75.00) per day until found in compliance.

Motion by Mr. Lightholder, seconded by Mr. Green, to approve Staff's recommendation and find the Property Owner in violation. Vote on the motion carried unanimously (6-0).

#### **9. CE-18-378 – 1202 Princeton Rd.**

Code Enforcement Officer Brian Fose provided an overview of the Case history and presented exhibits for the Board's review. Officer Fose testified that the Property Owner was in violation of *II.Accum. Of Trash and Litter Ch 6 Sec. 6-900 (b)(1)a-d*, *XXXI.Storing Vehicles, Ch 6 Sec. 6-900 (b)(8)* and *I.Accessory Structures Ch 6 Sec. 6-1001 (g)* of the City Code.

Discussion amongst the Board members and staff.

Officer Fose requested that the Board find the Property Owner in violation and be given until October 19, 2018 (30 days) to come into compliance or impose a fine of seventy-five dollars (\$75.00) per day until found in compliance.

Motion by Mr. Lightholder, seconded by Ms. Weave, to approve Staff's recommendation and find the Property Owner in violation. Vote on the motion carried unanimously (6-0).

**10. CE-18-406 – 1201 Myrtle Ln.**

This case was tabled.

**FIRE CODE CASES:**

**NON-COMPLIANCE:**

**1. CE-17-605 – 2908 Slippery Rock Dr.**

This case was complied

**2. CE-17-635 – 2916 Slippery Rock 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 *XXXIII. Storing Outdoors, Ch 6 Sec. 6-900 (b)(11) and XXXVI. Weeds, Ch 6 Sec. 6-1001(d)* of the City Code. Officer Murdick stated a Notice of Hearing was sent on June 18, 2018 and property owner remains in violation.

Discussion amongst the Board members and staff.

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 (6-0).

**3. CE-17-682 2406 Mercer 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 *IX. Exterior General Condition Ch 6 Sec. 6-1003 (a), XXXVI. Weeds, Ch 6 Sec. 6-1001(d) and I. Accessory Structures Ch 6 Sec. 6-1001 (g)* of

the City Code. Officer Murdick stated a Notice of Hearing was sent on June 19, 2018 and property owner remains in violation.

Discussion amongst the Board members and staff.

Motion by Mr. Green, seconded by Mr. Lightholder, to approve Staff's recommendation and find the Owner in Non-Compliance. Vote on the motion carried unanimously (6-0).

#### **4. CE-17-911 – 1318 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 *XXXIII. Storing Outdoors, Ch 6 Sec. 6-900 (b)(11)*, *XXXVI. Weeds, Ch 6 Sec. 6-1001(d)*, *XXXIII. Window, Door & Frame, Ch 6 Sec. 6-1003 (m)* and *I. Accessory Structures Ch 6 Sec. 6-1001 (g)* of the City Code. Officer Murdick stated a Notice of Hearing was sent on June 6, 2018 Officer Murdick stated a Notice of Hearing was sent on June 18, 2018 and property owner remains in violation.

Harold Joseph Thomas, 1915 Stonehurst Rd, Winter Park was sworn in. Mr. Thomas who has power of attorney for Ms. Thomas his mother. Mr. Victor Watson, 3490 N. US 1 an attorney for Gladys Thomas owner of property.

After discussion amongst the Board members they decided to table until October 18, 2018. If before the next Code Board meeting an affidavit of compliance from the Code Board Manager Bunt they will not need to come back before the board. Per the city attorney.

Motion by Mr. Lightholder, seconded by Ms. Weaver. Vote on the motion carried unanimously (6-0).

#### **5. CE-18-164 5555 Highway 524**

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 *IX. Exterior General Condition Ch 6 Sec. 6-1003 (a)* and *I. Accessory Structures Ch 6 Sec. 6-1001 (g)* of the City Code. Officer Murdick stated a Notice of Hearing was sent June 19, 2018 and property owner remains in violation.

Amy Provinzano, 402 High Point Dr Ste 101 was sworn in.

Discussion amongst the Board members and staff.

Motion by Mr. Lightholder, seconded by Ms. Weaver, to approve Staff's recommendation and find the Owner in Non-Compliance. Vote on the motion carried unanimously (6-0).

**6. CE-18-024 1221 Willow Ln.**

Code Enforcement Officer Brian Fose provided an overview of the Case history and presented exhibits for the Board's review. Officer Fose testified that the Property Owner is in violation of I. Accessory Structures Ch 6 Sec. 6-1001 (g), II. Accum. Of Trash and Litter Ch 6 Sec. 6-900 (b)(1)a-d, VI. Clearance of Land required Ch 6 Sec 6-901 and XV. Maint of Struct/Grounds Ch 6 Sec 6-900 (b)4a-c. XXVII Protective Treatment Ch 6 Sec 6-1003 (b) Roofs & Drainage Ch 6 sec 6-1003(g) of the City Code. Officer Fose stated a Notice of Hearing was sent June 7, 2018 and property owner remains in violation.

Discussion amongst the Board members and staff.

Motion by Ms. Weaver, seconded by Ms. Moretto, to approve Staff's recommendation and find the Property Owner in Non-Compliance. Vote on the motion carried unanimously (6-0).

**7. CE-18-283 1049 Olive St.**

Code Enforcement Officer Brian Fose provided an overview of the Case history and presented exhibits for the Board's review. Officer Fose testified that the Property Owner is in violation of V. Business Tax Receipt Ch 12 Sec. 12-1 (a)(b) and IV. Boarded Up Buildings Ch. 6 Sec. 6-900 (b)(5) of the City Code. Officer Fose stated a Notice of Hearing was sent July 5, 2018 and property owner remains in violation.

Discussion amongst the Board members and staff.

Motion by Mr. Green, seconded by Mr. Brown, to approve Staff's recommendation and find the Property Owner in Non-Compliance. Vote on the motion carried unanimously (6-0).

**LIEN REDUCTION:**

**DEMOLITION APPEALS:**

None

**ABATEMENT APPEALS:**

**OTHER BUSINESS:**

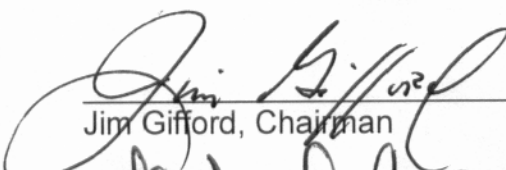
**NEXT MEETING:**

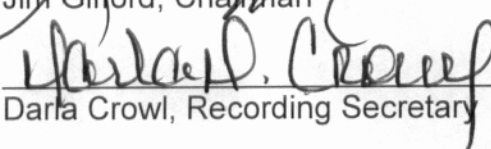
The Board members established that the next meeting would be held on October 18, 2018.

**ADJOURNMENT:**

There being no further business the meeting adjourned at 7:38 PM.

Approved on this 22 day of October, 2018.

  
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Jim Gifford, Chairman

  
\_\_\_\_\_  
Darla Crowl, Recording Secretary



DARLA D. CROWL  
Commission # GG 232414  
Expires November 11, 2018  
Bonded Thru Budget Notary Services