

**Code Enforcement Board
Meeting Minutes
August 17, 2017**

A regular meeting of the Code Enforcement Board of the City of Cocoa was held on Thursday, August 17, 2017, 2017 in the Council Chambers at 65 Stone Street, Cocoa, as publicly noticed.

OPENING MATTERS:

Chairman Jim Gifford called the meeting to order at 5:59 P.M. The Board Secretary called the roll.

MEMBERS PRESENT:

Jim Gifford	Chairman
Virginia Weaver	Board Member arrived 6:06
Michael Klug	Board Member
Michael Cicerrella	Board Member
Bill Terrell	Board Member
David Lightholder	Board Member
Stephanie Moretto	Alternate Board Member

MEMBERS ABSENT:

George Brown, Jr.	Vice-Chairman
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OTHERS PRESENT:

Dennis Bunt	Code Enforcement Manager
John Hankins	Police Department - Major
Michael Mack	Code Enforcement Officer
Steve Murdick	Code Enforcement Officer
Debra Babb-Nutcher	Board Attorney
Rachel Unruh	Recording Secretary

The Board Secretary swore in all Staff members giving testimony.

APPROVAL OF AGENDA AND MINUTES:

1. Approval of Meeting Agenda: August 17, 2017

Chairman Jim Gifford noted changes to the agenda (Items complied, tabled, and withdrawn).

Motion by Mr. Cicerrella, seconded by Mr. Klug, to approve the agenda of July 20, 2017 as amended. Vote on the motion carried unanimously (5-0).

2. Approval of Meeting Minutes: July 20, 2017

Motion by Mr. Cicerrella, seconded by Mr. Klug, to approve the minutes of June 15, 2017, as amended. Vote on the motion carried unanimously (5-0).

NEW BUSINESS:

None

CASES:

1. CE-17-189 – 1112 Broadmoor Dr.

This Case was tabled

2. CE-17-247 – 906 Westview Dr.

Code Enforcement Officer Michael Mack provided an overview of the Case history and presented exhibits for the Board's review. Officer Mack testified that the Property Owner is in violation of Maint of Struct/Grounds Ch 6 Sec. 6-900 (b)(4) a-c, Roofs & Drainage, Ch 6 Sec. 6-1003 (g), Accessory Structures Ch 6 Sec. 6-1001 (g), Maint. of Interior Struct Ch 6 Sec. 6-1004 (a), Accum. Of Trash and Litter Ch 6 Sec. 6-900 (b)(1)a-d, Smoke Detectors Ch 6 Sec. 6-1403 (b), Exposed Electrical Wiring, Ch 6 Sec. 6-1303 (c), Electrical House Panel Ch 6 Sec. 6-1303 (c) and Holes in Wall Ch 6 Sec 6-1004 (c) of City of Cocoa Code.

Officer Mack requested that the Board find the Property Owner in violation and be given until September 16, 2017 (30 days) to come into compliance or impose a fine for two hundred fifty dollars (\$250.00) per day until found in compliance. Owner was not present. Discussion amongst the Board members and staff. Motion by Mr. Cicerella, seconded by Mr. Lightholder, to approve Staff's recommendation and find the Property Owner in violation. Vote on the motion carried 6-0; Ms. Weaver was not present for vote.

3. CE-17-258 – 1007 Montclair Rd.

Code Enforcement Officer Michael Mack provided an overview of the Case history and presented exhibits for the Board's review. Officer Mack testified that the Property Owner is in violation of Protective Treatment, Ch 6 Sec. 6-1003(b), Permit Required App A Art. XV Sec 2 (a) and Storing Outdoors, Ch 6 Sec. 6-900 (b)(11) of City of Cocoa Code.

Officer Mack requested that the Board find the Property Owner in violation and be given until September 16, 2017 (30 days) to come into compliance or impose a fine for seventy-five dollars (\$75.00) per day until found in compliance.

Richard Gabri, 1007 Montclair Rd, was sworn in. Mr. Gabri gave testimony that the property was in bad state of despair. Mr. Gabri explained he was unaware that a permit was required for the windows being replaced. He explained that the wood located in the driveway was purchased for a future fence, the grill will be moved to the curb for trash pick-up and a permit has been pulled for the windows and an inspection is scheduled for August 22nd.

Discussion amongst the Board members, staff and Mr. Gabri.

Code Manager, Dennis Bunt stated to Mr. Gabri that he should contact the Building Department and get a renovation permit to include all the work that will be done to the structure. Mr. Bunt

continued to explain that with a renovation permit materials related to the job will be permitted since it's a construction site and will not be considered outdoor storage any longer.

Motion by Mr. Cicerella, seconded by Mr. Lightholder, to approve Staff's recommendation amending the time frame from 30 days to 60 days and find the Property Owner in violation. Vote on the motion carried unanimously (7-0).

4. CE-17-316 – 1040 Avon Pl.

Code Enforcement Officer Michael Mack provided an overview of the Case history and presented exhibits for the Board's review. Officer Mack testified that the Property Owner is in violation of Accum. Of Trash and Litter Ch 6 Sec. 6-900 (b)(1)a-d, Permit Required App A Art. XV Sec 2 (a), Boarded Up Buildings Ch. 6 Sec. 6-900 (b)(5) and Maint of Struct/Grounds Ch 6 Sec. 6-900 (b)(4) a-c, of City of Cocoa Code.

Officer Mack requested that the Board find the Property Owner in violation and be given until September 16, 2017 (30 days) to come into compliance or impose a fine for one hundred dollars (\$100.00) per day until found in compliance.

Curtis Royal, 741 Ibsen Ave, Orlando, was sworn in. Mr. Royal, gave a brief history of the ownership to the home and he stated he lives in Orlando but visits the property once a week to do work.

Officer Mack explained that permits are needed for interior and exterior renovations.

Discussion amongst the Board members, staff and Mr. Royal.

Motion by Ms. Moretto, seconded by Mr. Cicerella, to approve Staff's recommendation amending the time frame from 30 days to 60 days and find the Property Owner in violation. Vote on the motion carried unanimously (7-0).

5. CE-17-383 – 2228 Salem Dr.

Code Enforcement Officer Michael Mack provided an overview of the Case history and presented exhibits for the Board's review. Officer Mack testified that the Property Owner is in violation of Accessory Structures Ch 6 Sec. 6-1001 (g), Accum. Of Trash and Litter Ch 6 Sec. 6-900 (b)(1)a-d, Pools and Spas Ch 6 Sec. 6-1002 (a) Swimming pools. Swimming pools shall be maintained in a clean and sanitary condition and in good repair. (b) Enclosures. Private swimming pools, hot tubs and spas shall comply with the barrier and enclosure and Storing Outdoors, Ch 6 Sec. 6-900 (b)(11), of City of Cocoa Code.

Officer Mack requested that the Board find the Property Owner in violation and be given until September 16, 2017 (30 days) to come into compliance or impose a fine for one hundred twenty-five dollars (\$125.00) per day until found in compliance. Owner was not present. Discussion amongst the Board members and staff. Motion by Mr. Lightholder, seconded by Mr. Klug, to approve Staff's recommendation amending the time frame for violation Pools and Spas Ch 6 Sec. 6-1002(b) from 30 days to 3 days or the City will abate and to find the Property Owner in violation. Vote on the motion carried unanimously (7-0).

6. CE-17-429 – 2228 Iona Dr.

Code Enforcement Officer Michael Mack provided an overview of the Case history and presented exhibits for the Board's review. Officer Mack testified that the Property Owner is in violation of Protective Treatment, Ch 6 Sec. 6-1003 (b) and Storing Outdoors, Ch 6 Sec. 6-900 (b)(11), of City of Cocoa Code.

Officer Mack requested that the Board find the Property Owner in violation and be given until September 16, 2017 (30 days) to come into compliance or impose a fine for fifty dollars (\$50.00) per day until found in compliance. Owner was not present. Discussion amongst the Board members and staff. Motion by Mr. Cicerella, seconded by Ms. Weaver, to approve Staff's recommendation and find the Property Owner in violation. Vote on the motion carried unanimously (7-0).

7. CE-17-475 – 1108 W Hillcrest Dr.

Code Enforcement Officer Michael Mack provided an overview of the Case history and presented exhibits for the Board's review. Officer Mack testified that the Property Owner is in violation of Protective Treatment, Ch 6 Sec. 6-1003 (b), Permit Required App A Art. XV Sec 2 (a), Roofs & Drainage, Ch 6 Sec. 6-1003 (g), Maint of Struct/Grounds Ch 6 Sec. 6-900 (b)(4) a-c, Accum. Of Trash and Litter Ch 6 Sec. 6-900 (b)(1)a-d, Rental Business Tax Ch 6 Sec. 6-2003, Accessory structures Ch 6 Sec. 1001 (g), Article 5 sec. 22-58 (a) Illicit/illegal discharges and Illegal dumping, Electrical Requirements Ch 6 Sec. 6-1300 (b), Electrical Facilities Ch 6 Sec. 6-1303 (b,c) and Electrical equipment Ch 6 Sec. 6-1304 (a-c) electrical equipment, of City of Cocoa Code.

Officer Mack requested that the Board find the Property Owner in violation and be given until September 16, 2017 (30 days) to come into compliance or impose a fine for two hundred fifty dollars (\$250.00) per day until found in compliance. Owner was not present. Discussion amongst the Board members and staff. Motion by Ms. Moretto, seconded by Mr. Klug, to approve Staff's recommendation and find the Property Owner in violation. Vote on the motion carried unanimously (7-0).

8. CE-17-188 – 1056 Mitchell St.

This Case was found in compliance.

Mr. Cicerella left the meeting at 6:40pm.

9. CE-17-320 – 23 Travis 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 is in violation of Storing Outdoors, Ch 6 Sec. 6-900 (b)(11), Roofs & Drainage, Ch 6 Sec. 6-1003 (g), Weeds, Ch 6 Sec. 6-1001(d) and Doors Ch 6 Sec. 6-1003 (o), of the City of Cocoa Code.

Officer Murdick requested that the Board find the Property Owner in violation and be given until September 16, 2017 (30 days) to come into compliance or impose a fine for one hundred dollars (\$100.00) per day until found in compliance. Owner was not present. Discussion amongst the

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

10. CE-17-322 – 731 W King 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 is in violation of Exterior General Condition Ch 6 Sec. 6-1003 (a), Storing Outdoors, Ch 6 Sec. 6-900 (b)(11) and Accessory Structures Ch 6 Sec. 6-1001 (g), of the City of Cocoa Code.

Officer Murdick requested that the Board find the Property Owner in violation and be given until September 16, 2017 (30 days) to come into compliance or impose a fine for seventy-five dollars (\$75.00) per day until found in compliance.

Mark Patacer, 4160 Rosa Ave, Melbourne, was sworn in. Mr. Patacer testified that they have been working on the property. He stated that they would definitely comply with a little more time. Mr. Patacer agreed that the 30 days that staff was recommending was good.

Discussion amongst the Board members, staff and Mr. Patacer.

Motion by Mr. Cicerrella, seconded by Ms. Weaver, to approve Staff's recommendation amending the time frame from 30 days to 60 days and find the Property Owner in violation. Vote on the motion carried unanimously (7-0).

Mr. Cicerrella returned to meeting at 6:47pm

11. CE-17-328 – 1227 Holmes 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 is in violation of Window Glazing, Ch 6 Sec. 6-1003(m)(1), Insect Screens Ch 6 Sec. 6-1003 (n), Doors Ch 6 Sec. 6-1003 (o), Fail to Secure Struct Ch 6 Sec. 6-900 (b)(7), and Weeds, Ch 6 Sec. 6-1001(d), of the City of Cocoa Code.

Officer Murdick requested that the Board find the Property Owner in violation and be given until September 16, 2017 (30 days) to come into compliance or impose a fine for one hundred twenty-five dollars (\$125.00) per day until found in compliance. Owner was not present. Discussion amongst the Board members and Staff. Motion by Ms. Weaver, seconded by Mr. Cicerrella, to approve Staff's recommendation and find the Property Owner in violation. Vote on the motion carried unanimously (7-0).

12. CE-17-330 – 706 S 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 Exterior General Condition Ch 6 Sec. 6-1003 (a), Accessory Structures Ch 6 Sec. 6-1001 (g) and Weeds, Ch 6 Sec. 6-1001(d), of the City of Cocoa Code.

Officer Murdick requested that the Board find the Property Owner in violation and be given until September 16, 2017 (30 days) to come into compliance or impose a fine for seventy-five dollars (\$75.00) per day until found in compliance.

Abdellatif Touati, 1072 Clearlake Rd, was sworn in. Mr. Touati testified that he has been working on getting the right person to complete the job. He stated that he has already started painting and he didn't fix the window because he feared that the window would be broken again.

Discussion amongst the Board members, staff and Mr. Touati.

Mr. Bunt recommended that Mr. Touati speak with the Building Department regarding a renovation permit.

Motion by Mr. Cicerella, seconded by Mr. Klug, to approve Staff's recommendation amending the time frame from 30 days to 60 days and find the Property Owner in violation. Vote on the motion carried unanimously (7-0).

13. CE-17-345 – 357 Stone 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 is in violation of Roofs & Drainage, Ch 6 Sec. 6-1003 (g), Exterior Walls Ch 6 Sec. 6-1003 (f), Protective Treatment, Ch 6 Sec. 6-1003 (b) and Decorative Features Ch 6 Sec. 6-1003 (h), of the City of Cocoa Code.

Officer Murdick requested that the Board find the Property Owner in violation and be given until September 16, 2017 (30 days) to come into compliance or impose a fine for one hundred dollars (\$100.00) per day until found in compliance.

Daniel Austin, 935 Bowing Ln, Rockledge, was sworn in. Mr. Austin testified the building is under construction and he spoke with Code Division regarding the corrections needed. He explained that now that the roof overhang has been repaired he will focus on the other violations.

Discussion amongst the Board members, staff and Mr. Austin.

Debra Babb-Nutcher, Board Attorney left the meeting at 7:09pm.

Mr. Lightholder explained to Mr. Austin that he should consult the Building Department because the work on the roof overhang requires permits.

Motion by Mr. Lightholder, seconded by Ms. Moretto, to approve Staff's recommendation amending the time frame from 30 days to 60 days and find the Property Owner in violation. Vote on the motion carried unanimously (7-0).

14. CE-17-347 – 115 St Charles 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 is in

violation of Storing Outdoors, Ch 6 Sec. 6-900 (b)(11), Storing Junk or Autos, Ch 6 Sec. 6-902 (b)(1)(2) and Weeds, Ch 6 Sec. 6-1001(d), of the City of Cocoa Code.

Officer Murdick requested that the Board find the Property Owner in violation and be given until September 16, 2017 (30 days) to come into compliance or impose a fine for seventy-five dollars (\$75.00) per day until found in compliance. Owner was not present. Discussion amongst the Board members and Staff. Motion by Ms. Moretto, seconded by Mr. Klug, to approve Staff's recommendation and find the Property Owner in violation. Vote on the motion carried unanimously (7-0).

Debra Babb-Nutcher returned to meeting at 7:12pm

NON-COMPLIANCE:

1. CE-17-070 – 1004 Montclair Rd.

This Case was tabled

2. CE-17-076 – 804 Warren St.

This Case was found in compliance.

3. CE-17-239 – 1222 Amherst Ct.

Code Enforcement Officer Michael Mack provided an overview of the Case history and presented exhibits for the Board's review. Officer Mack testified that the Property Owner is in violation of Section 6-900(b)(1)a-d Accumulation of trash and litter, Section 6-1003 (b) Protective Treatment Section 6-2003 Rental Business Tax and Section 6-902 (b)(1) (2) Storing Junk Autos, of the City of Cocoa Code. Officer Mack stated that the Case was heard on June 15, 2017 and the Property Owner was given until July 15, 2017 to correct the violation or impose a fine for one hundred dollars (\$100.00) per day until found in compliance. Officer Mack requested that the Board find the Property Owner in non-compliance and impose a fine for one hundred dollars (\$100.00) per day until found in compliance. No owner present. Motion by Ms. Weaver, seconded by Mr. Cicerrella, to accept Staff's recommendation and find the Property Owner in non-compliance. Vote on the motion carried unanimously (7-0).

4. CE-16-772 – 714 Johnson 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 is in violation of Section 6-1003 (a) Exterior structure, Roof Damage, Section 6-1003 (b) Protective treatment, Roof, Section 6-1003 (d) Structural Member, wall and foundation, Section 6-1003 (f) Exterior structure, exterior walls, Section 6-1003 (h) Decorative features, trim and corner pieces, Section 6-1003 (m) Window, door and frame, Window damage, Section 6-1003 (m) (1) Window Glazing, Window damage, Section 6-1003 (m) (2) window operational, Window damage, Section 6-1003 (n) Insect screens, Screen damage, Section 6-1003 (o) Doors, Exterior door damage, Section 6-1004 (c) Maintenance of interior structure, Holes in the ceiling, walls, and floor, Section 6-1204 (a-d) Water systems, Hot water heater, Section 6-1304 (a-c) Electrical equipment, exposed electrical wires, Section 6-900 (b) (4) a-c, Maintenance of structure and

grounds and Section 6-1203 (a-c) Plumbing fixtures, Sink, toilet, and shower, of the City of Cocoa Code. Officer Murdick stated that the Case was heard on May 18, 2017 and the Property Owner was given until April 20, 2017 to correct the violation or impose a fine in the amount of two hundred fifty dollars (\$250.00) per day until found in compliance. Officer Murdick requested that the Board find the Property Owner in non-compliance impose a fine in the amount of two hundred fifty dollars (\$250.00) per day until found in compliance. No owner present. Discussion amongst Board members and staff. Motion by Mr. Cicerrella, seconded by Mr. Klug, to accept Staff's recommendation and find the Property Owner in non-compliance. Vote on the motion carried unanimously (7-0).

5. CE-17-037 – 1055 Mitchell St.

This Case was found in compliance.

LIEN REDUCTION/FORGIVENESS:

None

DEMOLITION APPEALS:

None

OTHER BUSINESS:

I. Manager Announcements

Code Manager Dennis Bunt gave an update on 909 School Street and provided photos for the Board to view.

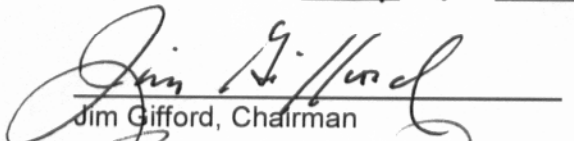
NEXT MEETING:

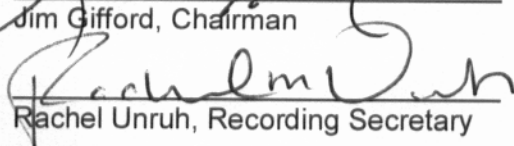
The Board members established that the next meeting would be held on September 21, 2017.

ADJOURNMENT:

There being no further business the meeting adjourned at 7:20 PM.

Approved on this 21 day of September, 2017.


Jim Gifford, Chairman


Rachel Unruh, Recording Secretary