

**Code Enforcement Board
Meeting Minutes
June 16, 2016**

A regular meeting of the Code Enforcement Board of the City of Cocoa was held on Thursday, June 16, 2016 in the Council Chambers at 65 Stone Street, Cocoa, as publicly noticed.

OPENING MATTERS:

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

MEMBERS PRESENT:

Jim Gifford	Chairman
George Brown, Jr.	Vice-Chairman
Michael Klug	Board Member-late 6:06pm
Virginia Weaver	Board Member
Michael Cicerrella	Board Member
David Lightholder	Board Member
Bill Terrell	Board Member

OTHERS PRESENT:

Nancy Dresser	Deputy Community Services Director
Chris Counsellor	Code Supervisor
Steven Murdick	Code Enforcement Officer
Michael Mack	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 & MINUTES:

1. Approval of Agenda: June 16, 2016

Chairman Jim Gifford noted changes to the agenda (Items complied, tabled, and withdrawn).

Motion by Mr. Cicerrella, seconded by Ms. Weaver, to approve the agenda of June 16, 2016 as amended. Vote on the motion carried unanimously.

2. Approval of Meeting Minutes: May 19, 2016

Motion by Mr. Cicerrella, seconded by Mr. Terrell, to approve the minutes of May 19, 2016, as amended. Vote on the motion carried unanimously.

CASES:

1. CE 16-114 – 1407 N Lakemont Dr.

This Case was found in compliance.

2. CE 16-113 – 1304 S Lakemont Dr.

This Case was found in compliance

3. CE 16-202 – 531 Blake Ave.

This Case was removed for Repeat Violator

4. CE 16-227 – 1080 N Fiske Blvd Unit C-7

This Case was found in compliance

5. CE 16-232 – 1080 N Fiske Blvd Unit C-3

This Case was found in compliance

6. CE 16-233 – 1080 N Fiske Blvd Unit Office

This Case was found in compliance

7. CE 16-192 – 1319 N Cocoa Blvd

This Case was tabled.

8. CE 16-189 – 1317 N Cocoa Blvd

This Case was found in compliance

NON-COMPLIANCE:

1. CE 16-116 – 1253 Amherst 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 Respondent is in violation of Section 6-902(b)(1)(2), unregistered vehicle, of the City of Cocoa Code.

Officer Murdick stated that the Case was heard on May 19, 2016 and the Respondent was given until May 29, 2016 to correct the violation or impose a fine in the amount of twenty five dollars (\$25.00) per day until found in compliance; in the event of a re-occurrence fifty dollars (\$50.00) per day.

Officer Murdick requested that the Board find the Respondent in non-compliance and impose a fine in the amount of twenty five dollars (\$25.00) per day until found in compliance; in the event of a re-occurrence fifty dollars (\$50.00) per day.

Motion by Mr. Brown, seconded by Mr. Lightholder, to accept Staff's recommendation and find the Respondent in non-compliance. Vote on the motion carried unanimously.

2. CE 16-138 -- 2820 Tulane Dr.

This Case was removed due to foreclosure.

LIEN REDUCTION/FORGIVENESS

1. CE 11-500 - 1514 Clearlake Rd Unit 147

This Case was removed.

2. CE 14-334 - 1056 Mitchell Street

Code Enforcement Supervisor Chris Counsellor presented the Staff report for the lien reduction request. Mr. Counsellor stated on August 21, 2014 the Code Enforcement Board found the property owner, Stewart Spence, in violation of Section 6-1003(o), Doors; Sec 6-900(b)(4)a-c, Maintenance to a structure; Sec 6-900(b)(1)a-d, Accumulation of trash and debris; and Section 6-1003(c), Premises Identification.

The lien ran at one hundred dollars (\$100.00) per day from October 2, 2014 until compliance was achieved on May 10, 2016. The total amount of the lien is \$58,600.00 and the current owner, Peter Vojtech, is requesting that the lien be reduced to \$0.00.

Staff recommends the lien be reduced to five hundred dollars (\$500.00).

Peter Vojtech, 1535 Phyllis Dr. Merritt Island, FL was sworn in. Mr. Vojtech is the current property owner of 1056 Mitchell Street. Mr. Vojtech found staff recommendation fair and agreed to the amount.

Motion by Mr. Brown, seconded by Mr. Cicerrella, to approve Staff's recommendation and recommend that Council reduce the lien to five hundred dollars (\$500.00). Vote on the motion carried unanimously.

3. CE 16-177 - 229 Smith Ln

Code Enforcement Supervisor Chris Counsellor presented the Staff report for the lien reduction request. Mr. Counsellor stated on June 21, 2007 the Code Enforcement Board found the property owner, Wanda Betourd, in violation of Sec 6-900(b)(4), Maintenance to a structure.

The lien ran at two hundred and fifty dollars (\$250.00) per day from June 21, 2007 until compliance was achieved on January 18, 2013. The total amount of the lien is \$509,520.00 and the current owner, Wanda Betourd, is requesting that the lien be reduced to \$0.00.

Staff recommends the lien be reduced to one thousand dollars (\$1,000.00).

Wanda Betourd, 229 Smith Lane, was sworn in. Ms. Betourd is the property owner of 229 Smith Lane. Ms. Betourd did not object to staff's recommendation and agreed to the amount.

Motion by Mr. Cicerella, seconded by Mr. Klug, to approve Staff's recommendation and recommend that Council reduce the lien to one thousand dollars (\$1,000.00). Vote on the motion carried unanimously.

4. CE 12-689 - 1043 Japonica Ln

Code Enforcement Supervisor Chris Counsellor presented the Staff report for the lien reduction request. Mr. Counsellor stated on August 16, 2012 the Code Enforcement Board found the property owner, Patricia Hunter, in violation of Section 6-900(b)(5), Boarded up Buildings and Sec 6-900(b)(4)a-c, Maintenance to a structure/grounds. Mr. Counsellor explained that the City brought the property into compliance through the demolition of the structure and the date of final inspection for the demolition was August 28, 2015.

The lien ran at fifty dollars (\$50.00) per day from September 2, 2014 until compliance was achieved on August 28, 2015. The total amount of the lien is \$54,450.00 and the current owner, American Mutual Fund LLC, is requesting that the lien be reduced to \$0.00.

Staff recommends the lien be reduced to five hundred dollars (\$500.00) for administrative cost plus \$3,976.63 for the actual cost of the demolition.

Linda Powers, 6451 Banyan St, was sworn in. Ms. Powers' the representative for American Mutual Fund LLC. Ms. Powers stated the American Mutual Fund LLC purchased the property on July 29, 2015 through an online auction and at the time of purchase the property had a structure on it. Ms. Powers gave testimony that the deed was record on August 17, 2015 and the current owner had no knowledge of the structure pending status for demolition. Ms. Powers stated that owner is asking for all the liens be waived since the current owner did not notification of the code violations on the property.

Motion by Mr. Terrell, seconded by Ms. Weaver, to approve Staff's recommendation and recommend that Council reduce the lien to five hundred dollars (\$500.00) plus the cost of the demolition (\$3,976.63). Vote on the motion carried unanimously.

DEMOLITION LIENS:

1. CE 16-215 - 10 South Street (Supervisor Counsellor)
2. CE 15-1118 - 124 Explorer Street (Supervisor Counsellor)
3. CE 16-226 - 229 Lemon Street (Supervisor Counsellor)
4. CE 16-216 - 514 S. Wilson Street (Supervisor Counsellor)
5. CE 15-1121 - 629 S. Georgia Ave. (Supervisor Counsellor)
6. CE 16-231 - 819 Paw Paw Street (Supervisor Counsellor)
7. CE 15-1119 - 1040 Azalea Ln (Supervisor Counsellor)
8. CE 15-933 - 1043 Japonica Ln (Supervisor Counsellor)
9. CE 15-932 - 1059 Olive Street (Supervisor Counsellor)

Supervisor Counsellor requested that the Board approve the Order to Impose a Lien for the demolition of the said addresses and case numbers.

Motion by Mr. Cicerrella, seconded by Mr. Klug, to approve the Orders to Impose a Lien for the demolition of said addresses and case numbers. Vote on the motion carried unanimously.

OTHER:

1. Demolition Appeal -- 1044 Bellefonte Ave.

This Case was removed.

2. Demolition Appeal – 227 Lemon St.

Supervisor Chris Counsellor gave background on the property located at 227 Lemon Street. Mr. Counsellor stated that he and the Building Official met with the owner at the location and completed a full inspection of the property. Ms. Malave was provided a list of items that needed to be addressed. Mr. Counsellor testified that a building permit application was submitted to the Building and Permitting Division at 4:30p.m for review today.

Staff's recommendation that the owner the permit pulled and in place for work to begin before the next Code Board meeting.

Corine Small, 456 Canaveral Groves Blvd, was sworn in. There was discussion with the Ms. Small, the mother of the Ms. Malave, the Board members and staff. It was explained to Ms. Small that the permit needed to be pulled and at the next meeting the Board and staff would give the next actions required. Additional discussion among the staff and Board members continued in regards to a schedule of work to be completed and a timeframe.

Motion by Mr. Cicerrella, seconded by Ms. Weaver, to continue the case until the next meeting on July 21, 2016. Vote on the motion carried 6 to 1, Mr. Terrell opposed.

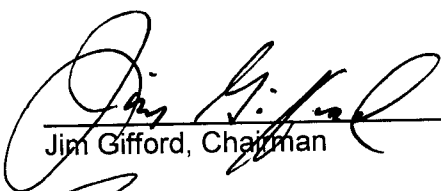
NEXT MEETING:

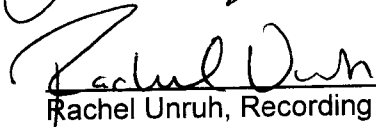
The Board members established that the next meeting would be held on July 21, 2016.

ADJOURNMENT:

There being no further business the meeting adjourned at 6:45 P.M.

Approved on this 21st day of July, 2016.


Jim Gifford, Chairman


Rachel Unruh, Recording Secretary

