

**Code Enforcement Board
Meeting Minutes
June 15, 2017**

A regular meeting of the Code Enforcement Board of the City of Cocoa was held on Thursday, June 15, 2017 in the Council Chambers at 65 Stone Street, Cocoa, as publicly noticed.

OPENING MATTERS:

Chairman Jim Gifford called the meeting to order at 6:01 P.M. The Board Secretary called the roll.

MEMBERS PRESENT:

Jim Gifford	Chairman
George Brown, Jr.	Vice-Chairman
Virginia Weaver	Board Member
Michael Cicerrella	Board Member
Michael Klug	Board Member
David Lightholder	Board Member – arrived 6:32pm

MEMBERS ABSENT:

Stephanie Moretto	Alternate Board Member
Bill Terrell	Board Member

OTHERS PRESENT:

Dennis Bunt	Code Enforcement Manager
Mike Cantaloupe	Police Chief
John Hankins	Police Department - Major
Michael Mack	Code Enforcement Officer
Debra Babb-Nutcher	Board Attorney
Rachel Unruh	Recording Secretary
Don Boisvert	Liaison

The Board Secretary swore in all Staff members giving testimony.

APPROVAL OF AGENDA AND MINUTES:

1. Approval of Meeting Agenda: June 15, 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Chairman Jim Gifford noted changes to the agenda (Items complied, tabled, and withdrawn).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 June 15, 2017 as amended. Vote on the motion carried unanimously (5-0).

2. Approval of Meeting Minutes: May 18, 2017

Motion by Mr. Cicerrella, seconded by Ms. Weaver, to approve the minutes of May 18, 2017, as written. Vote on the motion carried unanimously (5-0).

NEW BUSINESS:

None

CASES:

1. CE 17-070 – 1004 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 Section 6-1003 (b) Protective treatment, Section 6-1001 (g) Accessory Structures, Section 6-900 (b)(1) a-d Accumulation of Trash & Litter and Section 6-2003 Rental Business Tax of City of Cocoa Code.

Officer Mack requested that the Board find the Property Owner in violation and be given until July 15, 2017 to come into compliance or impose a fine for one hundred dollars (\$100.00) per day until found in compliance. Owner was not present.

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

2. CE 17-076 – 804 Warren St.

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 6-902(b)(1)(2) Storing Junk & Autos, Section 6-1003 (b) Protective treatment, Section 6-1003 (m)(1) Window Glazing, Section 6-902 (b) (1&2) Storing Junk Autos and Section 6-900 (b)(8,9) Parking in Yard, of City of Cocoa Code.

Officer Mack requested that the Board find the Property Owner in violation and be given until July 15, 2017 to come into compliance or impose a fine for one hundred seventy-five dollars (\$175.00) per day until found in compliance. Discussion amongst Board members and staff.

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

3. CE 17-095 – 2304 Clairmont Dr.

This Case was found in compliance.

4. CE 17-143 – 2303 Michigan Ave.

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)(8) Storing Boats, Section 6-1001(h) Motor Vehicle, Section 6-1003 (b) Protective Treatment, Section 6-900 (b)(9) Parking in the Yard, Section 6-1001 (h) Accessory Structures and Section 6-902 (b) (1) (2) Junk Autos of City of Cocoa Code.

Officer Mack requested that the Board find the Property Owner in violation and be given until August 14, 2017 to come into compliance or impose a fine for one hundred fifty dollars (\$150.00) per day until found in compliance.

Holly Bennett, 2303 Michigan Ave, was sworn in. Ms. Bennett testified that she is the daughter of the owner of the property and she lives there with her father. Ms. Bennett stated that she and her boyfriend have begun painting the structure and they are working on the funds for a new fence. She further explained that two of the vehicles are sold, the boat is cleaned & running and the other vehicles are tagged.

Discussion amongst Board members, staff and Ms. Bennett.

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

5. CE 17-148 – 1413 N Lakemont 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 Section 6-1001(g) Accessory Structures, Section 6-2003 Residential Business Tax and Section 6-900 (d) (5) Boarded up Buildings, of City of Cocoa Code.

Officer Mack requested that the Board find the Property Owner in violation and be given until July 15, 2017 to come into compliance or impose a fine for seventy-five dollars (\$75.00) per day until found in compliance. Owner was not present.

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

6. CE 17 -177 – 1116 Bristol Dr.

This Case was found in compliance.

7. 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 City of Cocoa Code.

Officer Mack requested that the Board find the Property Owner in violation and be given until July 15, 2017 to come into compliance or impose a fine for one hundred dollars (\$100.00) per day until found in compliance. Owner was not present.

Board Member Mr. Lightholder entered meeting at 6:32.

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

8. CE 17-340 – 315 Belmont Dr.

This Case was tabled.

9. CE-17-193 – 1837 Baylor 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 6-1001(d) Weeds, Section 6-900 (b)(9) Parking in the Yard, Section 6-1001(g) Accessory Structures, Section 6-900(b)(1)a-d Accumulation of Trash and Litter, Section 6-1003(o) Doors, Section 6-900(b)(5) Boarded up Building and Section 6-1006(b)(2) Refrigerators, of City of Cocoa Code.

Officer Mack requested that the Board find the Property Owner in violation and be given until August 14, 2017 to come into compliance or impose a fine for one hundred seventy-five dollars (\$175.00) per day until found in compliance.

Robert Harris, 2538 Summit Blvd, was sworn in. Mr. Harris testified that the property was a rental property to a Mr. John Laferriere and he has passed away. Mr. Harris explained that the resident(s) in the home now are not supposed to be living there and he is working on getting them out.

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

Mr. Harris stated once the resident(s) have vacated that property that he could have the property cleaned up within 60 days.

Motion by Mr. Cicerrella, seconded by Mr. Klug, to approve Staff's recommendation amending Staff to verify the Water Account and find the Property Owner in violation.

Additional discussion amongst the Board members and staff.

Motion by Mr. Lightholder, seconded by Mr. Klug, to table the case until July 20, 2017 meeting. Vote on the motion carried unanimously (6-0).

NON-COMPLIANCE:

1. CE 16-809 – 1059 Cypress Ln.

This was tabled.

2. CE 16-820 – 1409 N Fiske Blvd

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 5 (g) 1-6 Maintenance of fence, Section 6-900 (b) (7) Failure to secure structure, Section 6-1003 (b) Protective Treatment, Section 6-900 (b) (4) a-c maintenance of structure & grounds, and Section 6-900 (b) (1) a-d Accumulation of trash & debris of the City of Cocoa Code. Officer Mack stated that the Case was heard on March 16, 2017 and the Property Owner was given until May 1, 2017 to correct the violation or impose a fine for two hundred fifty

dollars (\$250.00) per day until found in compliance. Officer Mack requested that the Board find the Property Owner in non-compliance and impose a fine for two hundred fifty dollars (\$250.00) per day until found in compliance.

Motion by Ms. Weaver, seconded by Mr. Lightholder, to accept Staff's recommendation and find the property owner in non-compliance. Vote on the motion carried unanimously (6-0).

3. CE 17-074 – 1107 Avon Pl.

Code Enforcement Officer Micheal 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 6-1003 (b) Protective treatment of the City of Cocoa Code. Officer Mack stated that the Case was heard on April 20, 2017 and the Property Owner was given until May 17, 2017 to correct the violation or impose a fine for fifty dollars (\$50.00) per day until found in compliance. Officer Mack requested that the Board find the Property Owner in non-compliance from May 17, 2017 to June 13, 2017 and impose a fine for \$500.00 dollars for the above-mentioned time frame. Discussion amongst Board members and Staff.

Motion by Mr. Brown, seconded by Mr. Cicerrella, to accept Staff's recommendation and find the property owner in non-compliance for the time frame of May 17, 2017 to June 13, 2017. Vote on the motion carried unanimously (6-0).

LIEN REDUCTION/FORGIVENESS:

None

DEMOLITION APPEALS:

None

OTHER BUSINESS:

I. Business Tax Receipts

1. CE-17-396 – 1102 Dixon Ave.
2. CE-17-397 – 2402 Auburn Dr.
3. CE-17-402 – 1105 Azalea Ln.
4. CE-17-405 – 1101 Park Dr.
5. CE-17-406 – 93 Prospect Ave.

Code Manager Dennis Bunt recommended that the case CE-17-406 be found in non-compliance for the violation of Section 6-2003 Business Tax Receipt.

Motion by Mr. Cicerrella, seconded by Mr. Klug, to find the above addresse(s) in non-compliance and approve staff's recommendation. Vote on the motion carried unanimously (6-0).

II. Manager Announcements

1205 Japonica Ln

Code Manager Dennis Bunt stated that the property was a demo case and Mr. Bunt provided an overview of the Case history and entered exhibit "A", a timeline of events to the Board members. Mr. Bunt stated that the owner of the property requested the opportunity to speak before the Board regarding the demolition.

Board member, Mr. Cicerrella left the meeting at 6:57pm

Camron White, Attorney for Innova Investment Group, requested on Innova's behalf a stay in the demolition until the permits are issued. Mr. White gave testimony regarding the timeline and the chain of events that occurred. Mr. White explained based off the correspondence between Scott Davis, City Building Official, and the owner of the property, Innova Investment Group, thought that they complied with the timeline.

Discussion amongst Board members, staff and Mr. White.

Mr. Bunt gave testimony that the City would move forward to demolish due to the original contractor voiding the permit. He further stated that a new contractor had submitted a new permit but the information had been filled out on a City of Cocoa Beach application therefore the permit is not valid. Mr. Bunt continued with since the permit was voided and the new permit wasn't valid the Board Order giving 30 days for the owner to supply a timeline had expired.

Board member, Mr. Cicerrella returned to the meeting at 7:04pm.

Additional discussion amongst the Board members, staff and Mr. White.

Mr. White stated that the owner of the property could submit a new permit by June 23, 2017.

Mr. Bunt stated that a demolition permit had been issued therefore the Board. This would need to be removed as per the Board's Order in order for a new permit for repairs to be submitted and issued.

Additional discussion amongst the Board members and staff.

Mr. White asked for 120 days from the date of the new permit being issued to come into compliance.

Additional discussion amongst the Board members, staff and Mr. White.

Motion by Mr. Lightholder, seconded by Mr. Klug, to give the property owner until June 23, 2017 to submit for a permit, 10 days to respond to City comments and 120 days to bring the property into compliance once the permit has been issued. Vote on the motion carried unanimously (6-0).

Code Manager Dennis Bunt provided an update to the Board members on the foreclosure cases.

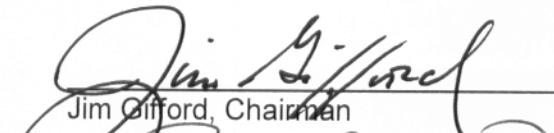
NEXT MEETING:

The Board members established that the next meeting would be held on July 20, 2017.

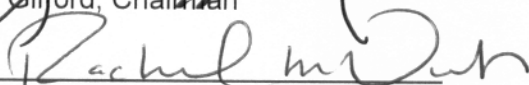
ADJOURNMENT:

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

Approved on this 20 day of July, 2017.



Jim Gifford, Chairman



Rachel Unruh, Recording Secretary