Code Enforcement Board
Meeting Minutes
January 19, 2023

A meeting of the Code Enforcement Board of the City of Cocoa was held on Thursday, January 19, 2023 in the Council Chambers at 65 Stone Street, Cocoa, as publicly noticed.

OPENING MATTERS:

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

MEMBERS PRESENT:

Lloyd Roberts	Chairman
George Brown Jr.	Vice-Chairman
Michael Simpson	Board Member
Chris Davis	Board Member
Verna Hughes	Board Member
David Lightholder	Board Member
Aurora Ramirez	1rst Alternate
Josue Otero	2nd Alternate

MEMBERS ABSENT:

Sharri Scott	Board Member

OTHERS PRESENT:

Dennis Bunt	Code Enforcement Manager
Raven Bell	Police Officer
Augusto Gonzalez-Ruiz	Code Enforcement Officer
Vince Buonocore	Code Enforcement Officer
Michael Folger	Code Enforcement Officer
Debra Babb-Nutcher	Board Attorney
Darla Crowl	Recording Secretary
Rip Dyal	City Councilman

The Board Secretary swore in all Staff members giving testimony.

APPROVAL OF AGENDA AND MINUTES:

1. Approval of Agenda: January 19, 2023

Chairman Lloyd Roberts noted changes to the agenda (Items complied, tabled and withdrawn)

Motion by Mr. Davis, seconded by Ms. Hughes, to approve to the agenda of January 19, 2023. Vote on the motion carried unanimously.

2. Approval of Meeting Minutes: October 20, 2022.

Motion by Mr. Brown, seconded by Mr. Davis, to approve to the minutes of October 20, 2022. Vote on the motion carried unanimously.

3. Submit to the record of all documents & notices for all cases on the Agenda.

NEW BUSINESS:

1. Election of Code Enforcement Board Chairman

Motion by Mr. Brown to nominate Mr. Roberts, asked each Board Member their nomination for Chairman. Vote on the motion carried unanimously.

2. Election of Code Enforcement Vice Chairman

Motion by Mr. Simpson to nominate Mr. Brown, asked each Board Member their nomination for Vice Chair. Vote on the motion carried unanimously.

CASES:

1. CE-21-0624 – 9 Stone St

Code Enforcement Officer Augusto Gonzalez provided an overview of the Case history and presented exhibits for the Board's review. Officer Gonzalez testified that the Property Owner was in violation of ***Exterior General Condition Ch 6 Sec. 6-1003 (a) and Permit Required App A Art. XV Sec 2 (a)*** of the City Code.

Officer Gonzalez requested that the Board find the Property Owner in violation and be given until February 18, 2023 (30 days) to come into compliance or impose a fine of fifty dollars ($50.00) per day until found in compliance.

Property owner was sworn in: Troy Stephan, 411 Magnolia Ave

Attorney Babb-Nutcher wanted clarification of what the permit required was for. Officer Gonzalez went over the pictures for the Board Members and stated that the awning was denied by the Building Official. Manager Bunt showed the picture to the Board to show the awning. Mr. Stephan talked about the permit for the awning and other items that were going on with the property. Manager Bunt stated the permit for the awning was put on hold by the Building Official. Mr. Davis asked Officer Gonzalez how many days he has been working the case. Officer Gonzalez response was 476 days. Mr. Davis

was concerned why it was taking so long for the violations to be corrected. More discussion amongst the Board members and staff.

Motion by Mr. Lightholder, seconded by Mr. Brown, to amend Staff's recommendation and give the property owner until March 20, 2023 (60 days) and find the Property Owner in violation. Vote on the motion carried unanimously.

2. CE-22-0579 – 409 Delannoy Ave

This case complied.

3. CE-22-0582 – Tax ID: 2426070 (412 Brevard Ave)

Code Enforcement Officer Augusto Gonzalez provided an overview of the Case history and presented exhibits for the Board's review. Officer Gonzalez testified that the Property Owner was in violation of ***Exterior General Condition Ch 6 Sec. 6-1003 (a), Maint. Of Interior Struct, Ch. 6 Sec. 6-1004 (a) and Roofs & Drainage, Ch. 6 Sec. 6-1003 (g)*** of the City Code.

Officer Gonzalez requested that the Board find the Property Owner in violation and be given until February 18, 2023 (30 days) to come into compliance or impose a fine of seventy-five dollars ($75.00) per day until found in compliance.

Property owner was sworn in: Troy Stephan, 411 Magnolia Ave

Manager Bunt asked Chairman Roberts if he could go through the photos. Officer Gonzalez explained the pictures with the violations for the Board Members. Mr. Stephan stated that the property wasn't in that condition anymore and would take care of the outside of the building. Mr. Davis asked about the violation for the Interior Maintenance violation which is separate from the Roofs & Drainage violation. Officer Gonzalez stated the interior has not been corrected according to the tenant. More discussion amongst the Board members and staff.

Motion by Mr. Davis, seconded by Mr. Brown, to approve Staff's recommendation and give the property owner until February 18, 2023 (30 days) and find the Property Owner in violation. Vote on the motion carried unanimously.

4. CE-22-0262 – 307 N Georgia Ave

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

Officer Gonzalez requested that the Board find the Property Owner in violation and be given until February 18, 2023 (30 days) to come into compliance or impose a fine of fifty dollars ($50.00) per day until found in compliance.

Property owner was sworn in: Christine Brown, 2420 Adamson Rd

Chairman Roberts asked if she wanted give information about the property. Mrs. Brown gave an overview of the property with corrections and gave documentation to the Board Members to review. Board Member asked Mrs. Brown questions about the violations and have they been corrected. More discussion amongst the Board members and staff. Manager Bunt asked that the case be tabled so that he can meet with Mrs. Brown at the property.

Motion by Mr. Davis, seconded by Mr. Lightholder, to table until February 16, 2023 (30 days) the next Code Board Meeting. Vote on the motion carried unanimously.

5. CE-22-0308 – 200 N Cocoa Blvd

Code Enforcement Officer Augusto Gonzalez provided an overview of the Case history and presented exhibits for the Board's review. Officer Gonzalez testified that the Property Owner was in violation of *Business Tax Receipt, Ch 12 Sec. 12-1 (a)(b),* ***Site Plan Approval Required, App. A, Art XIII, Sec 1 (B) and*** *Storage of Rec. Vehicles, App A Art. XIII Sec. 14 (a-d)* of the City Code.

Officer Gonzalez requested that the Board find the Property Owner in violation and be given until February 18, 2023 (30 days) to come into compliance or impose a fine of seventy-five dollars ($75.00) per day until found in compliance.

Property owner was sworn in: Leonard Hevia, 1665 Yates Dr., Merritt Island

Manager Bunt asked Officer Gonzalez about the pictures and what it was showing. Officer Gonzalez stated boats and tractors were on the property which was being used for storage without a site plan. Mr. Hevia gave an overview of what he wanted to use the property for. Chairman Roberts asked Mr. Hevia if his site plan was current? Attorney Babb-Nutcher wanted to clarify for the Board Members that if Mr. Hevia removes the boats then he would not need to get a Business Tax Receipt or a site plan because he would not be using the property . More discussion amongst the Board members and staff.

Motion by Mr. Davis, seconded by Mr. Lightholder, to amend Staff's recommendation and give the property owner until April 20, 2023 (90 days) a fine of twenty-five dollars ($25.00) per day and find the Property Owner in violation. Vote on the motion carried unanimously.

6. CE-22-0488 – 512 Paw Paw St.

Code Enforcement Officer Augusto Gonzalez provided an overview of the Case history and presented exhibits for the Board's review. Officer Gonzalez testified that the Property Owner was in violation of *Accum. Of Trash and Litter, Ch. 6 Sec. 6-900 (b) (1) a-d,* ***Extermination, Ch. 6 Sec. 6-1007 (a) (b) (e), Roofs & Drainage, Ch. 6 Sec. 6-1003 (g), Exterior General Condition, Ch. 6 Sec. 6-1003 (a) and Interior Structure, Ch. 6 Sec. 6-1004 a-f*** of the City Code.

Officer Gonzalez requested that the Board find the Property Owner in violation and be given until February 18, 2023 (30 days) to come into compliance or impose an amended fine of one hundred dollars ($100.00) per day until found in compliance.

Property owner was sworn in: Bernice Meyers, 2486 Kingdom Ave, Melbourne

Ms. Meyers gave documents to the Board Members to look through about her case. Ms. Meyers kept talking about other properties that she owned. Manager Bunt inquired as to if she was discussing this case or other property. Chairman Roberts explained to Ms. Meyers that the Board was there to her about the case on the Agenda. Mr. Davis asked Ms. Meyers how many properties she owned in Cocoa and she did not know that information. Mr. Lightholder stated he was a General Contractor pictures show the property is structurally not safe. More discussion amongst the Board members and staff.

Motion by Mr. Lightholder, seconded by Mr. Davis, to amend Staff's recommendation and give the property owner until March 20, 2023 (60 days) and find the Property Owner in violation. Vote on the motion carried unanimously.

7. CE-22-0489 – 517 S Fiske Blvd

Code Enforcement Officer Augusto Gonzalez provided an overview of the Case history and presented exhibits for the Board's review. Officer Gonzalez testified that the Property Owner was in violation of ***Exterior General Condition, Ch. 6 Sec. 6-1003 (a), Prohibited Uses and Structures, Art XI, Sec. 11 (D), Storing Junk or Autos, Ch 6 Sec. 6-902 (b)(1)(2) and Weeds, Ch 6 Sec. 6-1001 (d)*** of the City Code.

Officer Gonzalez requested that the Board find the Property Owner in violation and be given until February 18, 2023 (30 days) to come into compliance or impose a fine of one hundred dollars ($100.00) per day until found in compliance.

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

8. CE-22-0680 – Tax ID: 2424920

Code Enforcement Officer Augusto Gonzalez provided an overview of the Case history and presented exhibits for the Board's review. Officer Gonzalez testified that the Property Owner was in violation of ***Accum. Of Trash and Litter, Ch. 6 Sec. 6-900 (b) (1) a-d) and District and Intent – C-N, Neighborhood Commercial, App. A Art. XI, Sec. 4A*** of the City Code.

Officer Gonzalez requested that the Board find the Property Owner in violation and be given until February 18, 2023 (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. Davis, seconded by Ms. Hughes, to approve Staff's recommendation and find the Property Owner in violation. Vote on the motion carried unanimously.

9. CE-20-0584 – 1841 Baylor Ct

Code Enforcement Officer Vince Buonocore provided an overview of the Case history and presented exhibits for the Board's review. Officer Buonocore testified that the Property Owner was in violation of ***I.Accessory Structures Ch 6 Sec. 6-1001 (g), XX.Parking in Yard Ch 6 Sec. 6-900 (b)(9), Accum. Of Trash and Litter, Ch. 6 Sec. 6-900 (b) (1) a-d and Protective Treatment, Ch. 6 Sec. 6-1003 (b)*** of the City Code.

Officer Buonocore requested that the Board find the Property Owner in violation and be given until February 18, 2023 (30 days) to come into compliance or impose a fine of one hundred dollars ($100.00) per day until found in compliance.

Property owner was sworn in: Tracy Sherry, 19 Brandy Ln, Fredrick Sherry, 19 Brandy Ln, Merritt Island

Officer Buonocore went through the pictures to explain the violations to the Code Board Members. Manager Bunt asked if Officer initiated or complaint and Officer Buonocore stated that it was a complaint. Mr. Sherry had questions about the fence height and the items on the property. Mr. Sherry explained he needed time to move the trailer. Mr. Davis explained that 717 days was a long time to not be corrected and ask for more time. More discussion amongst the Board members and staff.

Motion by Mr. Simpson, seconded by Mr. Lightholder, to amend Staff's recommendation and give the property owner until April 20, 2023 (90 days) and find the Property Owner in violation. Vote on the motion carried unanimously.

10. CE-22-0326 – 809 N Fiske Blvd

Code Enforcement Officer Vince Buonocore provided an overview of the Case history and presented exhibits for the Board's review. Officer Buonocore testified that the Property Owner was in violation of ***Permit Required App A Art. XV Sec. 2 (a)*** of the City Code.

Officer Buonocore requested that the Board find the Property Owner in violation and be given until February 18, 2023 (30 days) to come into compliance or impose a fine of twenty-five dollars ($25.00) per day until found in compliance.

Manager Bunt stated that they have not been able to get back into the building. No permits have been pulled for the walls removed which are fire walls. More discussion amongst the Board members and staff.

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

11. CE-22-0426 – 1047 W Hillcrest Dr.

Code Enforcement Officer Vince Buonocore provided an overview of the Case history and presented exhibits for the Board's review. Officer Buonocore testified that the Property Owner was in violation of ***Exterior General Condition Ch 6 Sec. 6-1003 (a), Accum. Of Trash and Litter, Ch. 6 Sec. 6-900 (b) (1) a-d, Storing Outdoors, Ch 6 Sec. 6-900 (b) (11) and Protective Treatment, Ch. 6 Sec. 6-1003 (b)*** of the City Code.

Officer Buonocore requested that the Board find the Property Owner in violation and be given until February 18, 2023 (30 days) to come into compliance or impose a fine of one hundred dollars ($100.00) per day until found in compliance.

Property owner was sworn in: Jerome Hubbard, 751 Campbell St SE Palm Bay

Mr. Hubbard asked the Board Member if they were familiar with Rebuild Florida Program. Mr. Hubbard gave an overview of what has been going with his mother's property and the Rebuild Florida Program. Manager Bunt explained the items on the property in violation that if he would fix would bring him into compliance. Mr. Hubbard was asked what his attention for the property and his response was rehab it. More discussion amongst the Board members and staff.

Motion by Mr. Davis, seconded by Mr. Brown, to amend Staff's recommendation and give the property owner until March 20, 2023 (60 days) find the Property Owner in violation. Vote on the motion carried unanimously.

12. CE-22-0503 – 3629 E Malory Ct

Code Enforcement Officer Vince Buonocore provided an overview of the Case history and presented exhibits for the Board's review. Officer Buonocore testified that the Property Owner was in violation of ***Accum. Of Trash and Litter Ch 6 Sec. 6-900 (b)(1)a-d, Landscape Requirements App A Art. XIII Sec 22 (a-i), Permit Required (fences) App A Art. XIII Sec 5 (c), Protective Treatment, Ch 6 Sec. 6-1003 (b), Storing Outdoors, Ch 6 Sec. 6-900 (b) (11), Clearance of land required Ch.6 Sec. 6-901, Permit Required App A Art. XV Sec 2 (a),*** *Premises Identification Ch 6 Sec. 6-1003 (c)* ***and Storing Vehicles, Ch 6 Sec. 6-900 (b)(8)*** of the City Code.

Officer Buonocore requested that the Board find the Property Owner in violation and be given until February 18, 2023 (30 days) to come into compliance or impose a fine of two hundred dollars ($200.00) per day until found in compliance.

Discussion amongst the Board members and staff.

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

13. CE-22-0527 – 803 Kensington Dr.

Code Enforcement Officer Vince Buonocore provided an overview of the Case history and presented exhibits for the Board's review. Officer Buonocore testified that the Property Owner was in violation of ***Roofs & Drainage Ch 6 Sec. 6-1003 (g), Boarded Up Buildings Ch 6 Sec. 6-900 (b)(5), Window Glazing Ch 6 Sec. 6-1003(m)(1) and Protective Treatment, Ch. 6 Sec. 6-1003 (b)*** of the City Code.

Officer Buonocore requested that the Board find the Property Owner in violation and be given until February 18, 2023 (30 days) to come into compliance or impose a fine of one hundred dollars ($100.00) per day until found in compliance.

Discussion amongst the Board members and staff.

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

14. CE-22-0655 – 806 Kensington Dr.

This case complied.

15. CE-22-0127 – 2518 Suwanee Dr.

This case complied.

REPEAT VIOLATION CASES:

1. CE-22-0720 – 722 Johnson St.

Code Enforcement Officer Augusto Gonzalez provided an overview of the Case history and presented exhibits for the Board's review. Officer Gonzalez testified that the Property Owner was in repeat violation of ***Accessory Structures, Sec. 6-1001 (g), Storing Junk or Autos, Sec. 6-908 (b) (1) (2), Storing Outdoors, Sec. 6-900 (b) (11) and District and Intent – RU – 1-7, Single-Family Residence, App. A Art. XI, Sec. 3*** of the City Code.

Officer Gonzalez requested that the Board find the Property Owner for a repeat violation and start the fine on October 12, 2022 until brought into compliance a fine of two hundred fifty dollars ($250.00) per day until found in compliance.

Discussion amongst the Board members and staff.

Motion by Mr. Brown seconded by Mr. Lightholder, to approve Staff's recommendation and a fine of two hundred fifty dollars ($250.00) per day and find the Property Owner in repeat violation. Vote on the motion carried unanimously.

NON-COMPLIANCE:

1. CE-21-0626 – 730 Thomas Ln

Code Enforcement Officer Augusto Gonzalez provided an overview of the Case history and presented exhibits for the Board's review. Officer Gonzalez testified that the Property Owner is in violation of ***Exterior General Condition, Ch. 6 Sec. 6-1003 (a) and Fail To Secure Structure, Ch. 6 Sec. 6-900 (b) (7)*** of the City of Cocoa Code. Officer Gonzalez stated a Notice of Hearing was sent on January 5, 2023 and property owner remains in violation.

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

2. CE-21-0133 – 202 N Fiske Blvd

Code Enforcement Officer Augusto Gonzalez provided an overview of the Case history and presented exhibits for the Board's review. Officer Gonzalez testified that the Property Owner is in violation of ***XXII.Permit Required App A Art. XV Sec 2 (a)*** of the

City of Cocoa Code. Officer Gonzalez stated a Notice of Hearing was sent on January 5, 2023 and property owner remains in violation.

Property representative was sworn in: Ken Morgan, 808 Topaz Dr, Rockledge

Discussion amongst the Board members and staff.

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

3. CE-22-0136 – 1054 Bellefonte

Code Enforcement Officer Augusto Gonzalez provided an overview of the Case history and presented exhibits for the Board's review. Officer Gonzalez testified that the Property Owner is in violation of ***Animals Non-Domestic, Ch. 5 Sec. 5-32*** **and** ***XXII.Permit Required App A Art. XV Sec 2 (a)*** of the City of Cocoa Code. Officer Gonzalez stated a Notice of Hearing was sent on January 5, 2023 and property owner remains in violation.

Discussion amongst the Board members and staff.

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

4. CE-22-0180 – 811 Eden St

Code Enforcement Officer Augusto Gonzalez provided an overview of the Case history and presented exhibits for the Board's review. Officer Gonzalez testified that the Property Owner is in violation of ***Accum. Of Trash and Litter, Ch. 6 Sec 6-900 (b)(1) a-d , Storing Outdoors, Ch. 6 Sec. 6-900 (b)(11) , Exterior General Condition, Ch. 6 Sec. 6-1003 (a) and Roofs & Drainage, Ch. 6 Sec. 6-1003 (g)*** of the City of Cocoa Code. Officer Gonzalez stated a Notice of Hearing was sent on January 5, 2023 and property owner remains in violation.

Property owner was sworn in: Walter Morales, 2 Buckingham Ct , Rockledge

Discussion amongst the Board members and staff.

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

5. CE-22-0038 – Parcel ID# 24-36-07-00-557

Code Enforcement Officer Augusto Gonzalez provided an overview of the Case history and presented exhibits for the Board's review. Officer Gonzalez testified that the Property Owner is in violation of ***Permit Required, App. A Art. XV Sec. 2 (a) and Site Plan Approval Required, App. A Art. XIII, 1 (B)*** of the City of Cocoa Code. Officer Gonzalez stated a Notice of Hearing was sent on January 5, 2023 and property owner remains in violation.

After discussion this case was tabled to the next meeting on February 16, 2023.

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

6. CE-21-0671 – 1222 Dixon Blvd

Code Enforcement Officer Vince Buonocore provided an overview of the Case history and presented exhibits for the Board's review. Officer Buonocore testified that the Property Owner is in violation of ***Protective Treatment Ch 6 Sec. 6-1003(b), Temp Storage App A Art. XIII Sec. 30(a)(3), Storing Outdoors Ch 6 Sec. 6-900(b)(11), Accessory Structures Ch 6 Sec. 6-1001(g), Fail to Secure Structure Ch 6 Sec.6-900(b)(7), Accum. Of Trash and Litter Ch 6 Sec. 6-900(b)(1)a-d, Exterior General Condition Ch 6 Sec. 6-1003(a) and Parking in Yard Ch 6 Sec. 6-900 (b)(9)*** of the City of Cocoa Code. Officer Buonocore stated a Notice of Hearing was sent on November 18, 2022 and property owner remains in violation.

Property owner sworn in: Erol Beckford, 1703 Sun-Gazer Dr, Rockledge

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

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

NEW BUSINESS

2546 N Indian River Dr. – Corrective Order Imposing fine

Attorney Babb-Nutcher explained why this order had to be corrected from $25.00 to $250.00 for the noncompliance hearing. The secretary that filled in made in error on the amount i this is to correct the Order. Attorney Babb-Nutcher drafted a new Order.

Motion by Mr. Davis seconded by Mr. Brown, to approve corrections made to Corrective Order Imposing Fine. Vote on the motion carried unanimously.

LIEN REDUCTIONS

1. CE-08-0436 – 327 Belmont Dr.

The Code Enforcement Board held a public hearing on **9/18/2008**, at which time the Board found the owner, **McCormick, Hazel G** in violation of the following: **Protective Treatment, Sec. 6-1003 (b)**

The Code Enforcement Board provided the owner sufficient time to correct said violation. Therefore, consistent with the Code Enforcement Board's Order a lien was recorded against the property effective **11/20/2008.** The lien ran at **$100.00** per day from **9/19/2008** until compliance was achieved on **4/6/2009**. Code records show onsite inspections were conducted by Officer Murdick and Gonzalez, and I. The case was closed leaving a fine of $16,730.00.The current owner, **McCormick, Hazel G** , is requesting that the lien be reduced to **$500 or Staff's Hard Costs**

Staff's recommendation is that the fine/lien be reduced to **$960.55** which is the cost of staff to prosecute this case. This reduction is based on the gravity of the violations, the length of time it took the property to come into compliance, and the total amount of the City's Cost.

Jennifer Altreche is the attorney for the property owner. Ms. Altreche stated that Mr. McCormick got the property into compliance and feels the staff's recommendation for the fine is resendable. More discussion amongst the Board members and staff.

Motion by Mr. Brown, seconded by Mr. Davis, to approve staff's recommendation to City Council the lien reduction be in the amount of nine hundred sixty dollars and fifty-five cents **($960.55).** Vote on the motion carried unanimously.

2. CE-19-0495 – Parcel ID# 24-36-32-27-*-3 & 24-36-32-27-*-5

The Code Enforcement Board held a public hearing on **9/19/2019**, at which time the Board found the owner, **Barfield Contracting & Association Inc.** in violation of the following: **Business Tax, Sec. 12-1 (a)(b), Permit Required (Fences), App. A Art. XIII Sec. 5 (c) and Permit Required, App. A Art. XV Sec. 2 (a)**

The Code Enforcement Board provided the owner sufficient time to correct said violation. Therefore, consistent with the Code Enforcement Board's Order a lien was recorded against the property effective **1/23/2020.** The lien ran at **$75.00** per day from **11/19/2019** until compliance was achieved on **9/27/2022**. Code records show onsite inspections were conducted by Officer Murdick and Gonzalez, and I. The case was

closed leaving a fine of $63,030.00.The current owner, **Barfield Contracting & Association Inc.**, is requesting that the lien be reduced to **$0 Zero**

Staff's recommendation is that the fine/lien be reduced to **$3,592.85** which is the cost of staff to prosecute this case. This reduction is based on the gravity of the violations, the length of time it took the property to come into compliance, and the total amount of the City's Cost.

Property owner was sworn in: Kevin Barfield, 223 Willard St, Cocoa

Mr. Barfield wanted to give an overview of the property and why it took so long to come into compliance. More discussion amongst the Board members and staff.

Motion by Mr. Brown, seconded by Mr. Lightholder, to amend staff's recommendation to City Council the lien reduction be in the amount of one thousand dollars **($1,000.00).** Vote on the motion (4-1) (Mr. Davis – Nay).

Manager Announcements:

None

NEXT MEETING:

The next regular meeting of the Code Enforcement Board will be held on February 16, 2023.

ADJOURNMENT:

There being no further business the meeting adjourned at 9:17 PM.

Approved on this 16 day of February, 2023.

Lloyd Roberts, Chairman

Darla Crowl, Recording Secretary

Notary Public State of Florida
Darla D Crowl
My Commission HH 327608
Expires 11/11/2026